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The Solicitors' Journal.

LONDON, APRIL 8, 1865.

THE PUBLIC-HOUSE CLOSING ACT, 1864, which was passed last session, and regulates the closing of public-houses and refreshment-houses between the hours of one and four o'clock, has proved itself to contain elements which act as a hardship on certain classes of persons whom the Government thinks are entitled to consideration. On the 30th ult. Sir George Grey informed the House that he was anxious to see how far the wishes of persons desirous of being exempted from the operation of that Act could be met; and we are pleased to see that the bill now brought in by Mr. Cox and Mr. Goschen is such as will give certain classes of persons, in the metropolis, and in large towns where the Act is adopted, facilities for refreshments during the otherwise prohibited hours. The 2nd section of the new bill gives power to the local authorities to grant licences to licensed victuallers and refreshment-house keepers, exempting them from the provisions of the Act of 1864. That Sir George Grey has at length been brought to see the injustice of the Act of last session to a large class of night workers, including chiefly printers and persons attending markets, is perhaps more than could have been hoped, notwithstanding the complaints which have been made of its working, considering that these complaints have come from those who are generally too weak or too disunited to make themselves heard and felt. If the bill should now be passed, there will be no necessity for liberal-spirited aldermen* to show that the intention of the Act was to oppress any particular class, but in every case where it may be necessary, the authorities may grant licences exempting certain houses from its operation, and those who work hard for us while we sleep, may duly obtain the refreshment they require.

A SCOT, OR PHILO-SCOT, in *Fraser* for this month, glorifies the Scotch lawyers in the following strain:—

OUR BENCH AND BAR.—It cannot be denied that even to-day the bar and bench of Scotland are not unworthy of their reputation. The fervid but scholarly eloquence of Patton, the persuasive ingenuity of Gordon, the tact and sagacity of Clark, the argumentative precision and luminous rhetoric of the Solicitor-General, add lustre to the bar; and the bench is adorned by men of even higher power and wider range. The intrepid spirit and masculine understanding of the Justice-Clerk cuts the knot which a fastidious and critical intellect would fail to untie; and, for justice of judgment, for shrewd administrative sagacity, for admirable common sense, for patience, policy, prudence, for knowledge of men and affairs, for familiarity with the great principles on which sound legal decision rests, for grasp, comprehension, fairness, and temperance of intellectual faculty (not unwarmed by imagination and the passion of the orator), the name of Duncan M'Neill of Colonsay will go down to posterity with that of Duncan Forbes of Culloden. Nor are many of the smaller men undistinguished—one at least being profoundly learned and perennially witty. Lord Kinloch's sacred poetry is far above mediocrity, having not a little of the sweetness and quaintness of Herbert; and the humorous effusions of another judge are remarkable for point and spirit.

Our attention has been directed to this elegant extract by the Edinburgh *Courant*, and that of course is the meaning of the "Our." We believe the gentlemen referred to are quite worthy if the good opinion of their countrymen, whether they write for *Fraser* or not, and we have already recorded our own high opinion of Lord President M'Neill. But, to those who are acquainted with the actual state of the case in the Parliament-house, there is something in the above eulogy rather inflated, and, if we must tell the truth, not a little absurd. The day was when the Scotch bar were among the most enlightened jurists of Europe, but that day has gone by for ever. The Scotch advocates of the present day are very respectable practitioners; and perhaps, as a body, they may be fairly considered to be better acquainted with the principles of jurisprudence than the mass of the profession in this country. But we are not aware that there is anything in their attainments that calls for public notice at the present time; and to our taste, their professional character is not strengthened by such indiscriminate flattery as this of *Fraser*. In the power of talking they must concede the palm to the Irish lawyers; and, as men of *business*, they are decidedly inferior to our own Bar.

* 8 Sol. Jour. 892.

AT A TIME WHEN AMERICAN affairs fill so large a space in the public eye, the following table of the judges of the Supreme Court of the United States, together with the circuits to which they are attached, and the dates of their commissions, may not be unacceptable to our readers:—

NAME.	CIRCUIT.	APPOINTED.
Chief Justice—		
Hon. Salmon P. Chase,	Maryland, Delaware, Virginia, North Carolina, and Western Virginia.	Dec. 6, 1864.
Associates—		
Hon. James M. Wayne,	South Carolina, Georgia, Alabama, Mississippi, and Florida.	Jan. 9, 1835.
Hon. John Catron,	Louisiana, Arkansas, Kentucky, Tennessee, and Texas.	Mar. 8, 1837.
Hon. Samuel Nelson,	New York, Vermont, and Connecticut.	Feb. 14, 1845.
Hon. R. Cooper Grier,	Pennsylvania and New Jersey.	Aug. 4, 1846.
Hon. Nathan Clifford,	Maine, New Hampshire, Massachusetts, and Rhode Island.	Jan. 12, 1858.
Hon. N. M. Swayne,	Ohio and Michigan.	Jan. 4, 1862.
Hon. Samuel F. Miller,	Missouri, Iowa, Kansas, Minnesota, and Wisconsin.	July 16, 1862.
Hon. David Davis,	Illinois and Indiana.	Dec. 8, 1862.
Hon. Stephen J. Field,	California and Oregon.	Mar. 10, 1863.

It can hardly be necessary for us to recall to the recollection of our readers the constitution of the Federal Courts in the United States.

The entire territory of the Union is divided into districts, varying from one to forty in each state, according to extent and population, and over the courts of each district a district judge (like our county court judge) is appointed; of these there are, we believe, about 600 in the Union. These districts are grouped into ten circuits, and to each circuit one of the judges of the Supreme Court is permanently attached; the circuit courts are held, as their name denotes, by these judges, as "Justices in Eyre," in connection with the district judges. We believe that all the district judges of the circuit, and not merely the particular judge of the district in which the Court is being held, are entitled to sit in the Circuit Court, but whether that be so or not, in practice that Court ordinarily consists of two judges—the judge on circuit, and the judge of the particular district—this is the primary Court of Appeal from the District Court. From the Circuit Court an appeal lies to the Supreme Court, consisting of all the above-named judges in solemn session at Washington, and from this Court, in certain cases, an appeal, or *quasi*-appeal, lies to the Senate, but

ordinarily, and in all merely civil cases, the decisions of the Supreme Court are final. This is the Court which, lately altered and enlarged, is the most powerful, because the least fluctuating, body in the United States, a body which, in more than one particular, displays the closest analogy, both in character and functions, to the British House of Lords.

WE HAVE ALL HEARD of the story of the Quaker who refused to take off his hat in the presence of Charles the Second, but we hardly expected to find in the present day anyone so foolish as to make himself a martyr to the principle involved in that objection. At Hereford Assizes, last week, one of the jurymen on entering the box omitted to take off his hat, and insisted on retaining it after Baron Pigott had requested its removal. The gentleman said that uncovering the head was an honour which he considered due to God only, and stated that members of the Society of Friends were allowed to wear their hats in most of the courts of justice in England. A fine of forty shillings was inflicted on this ill-advised individual, and he was ordered to leave the jury-box, as the judge did not consider him a proper person to sit there.

ANOTHER POLICE BLUNDER, which almost throws the Shrewsbury escapade into the shade, has just been perpetrated. We learn from the *Manchester Examiner* that on Sunday night a gentleman named Crum, an officer in the army, who had been staying at Scarborough, and who arrived in York on Monday morning, was apprehended at one of the principal hotels in that city, charged with having forged a cheque for £1,500, on a bank in Buxton. One of the inspectors, named Hodson, had a warrant for the apprehension of a man named Temple Morris, and he arrived at a late hour on Saturday, after which he received information that a gentleman, who, it was supposed, was the offender, had arrived in the town. Inspector Hodson immediately waited upon Captain Crum, and told him that he held a warrant for his apprehension on a charge of forgery. Mr. Crum told the policeman that he was mistaken, and after informing him that he was a nephew to Messrs. Crum, merchants, Moseley-street, Manchester, told him and a policeman who accompanied him that they might search his portmanteau (in which were his regimentals), his card-case, and, as he said, "the whole of his letters," if they liked. However, the local "Dogberrys" declined to do this, and the constable, exhibiting the handcuffs, told him that if he did not go with them by the next train, he would have them applied in a manner that he would not approve. Mr. Crum, acting upon the advice of some gentlemen who were present, but who were unknown to him, consented to go quietly, whereupon he was removed from York to Buxton, and, on being confronted with the bankers in the morning, they immediately stated that the police were mistaken. The gallant officer was immediately released from custody.

It is said that legal proceedings are contemplated. We sincerely trust so.

EXPENSES OF COUNTY COURTS.—A return published lately shows that the expenses of county courts in England and Wales in the year ending March 31, 1864, were met by a Parliamentary grant of £166,010, and a sum of £84,633 charged on the Consolidated Fund.

ROBERT BAYNES ARMSTRONG, ESQ., Recorder of Manchester and Bolton, has determined to retire from that office. On the learned gentleman taking his seat at the late opening of the Manchester Quarter Sessions, the Mayor of Manchester addressed him, expressing regret that this was the last occasion of his presiding, and assuring him of the respect he would carry with him of his fellow-citizens into retirement. Mr. J. P. Cobbett spoke to the same effect on behalf of the bar.

Mr. Armstrong, in reply, assured them that, after holding the office of Recorder for twenty-six years, the thought that he carried with him their good opinion would be a source of pleasing satisfaction to him in the evening of his days.

OUR READERS will see in another column that Mr. Strange has given notice of appeal to Quarter Session against the decision of Mr. Tyrwhitt* in the case of the Alhambra Palace, Liecester-square. It is expected that the appeal will be heard on the 21st instant.

WE ARE INFORMED that it will not be possible for the Lords to complete their report upon "The Edmunds Scandal," in time to lay it before the House previous to the Easter recess.

MISREPRESENTATIONS BY DIRECTORS OF A JOINT-STOCK COMPANY.

The very important question of how far a shareholder, who has been induced, on the faith of false and exaggerated statements contained in a report put forth by the directors, to take shares in a company is entitled to repudiate the transaction and escape the liability of a contributory, has recently arisen before Vice-Chancellor Kindersley, in *Barrett's case; Re the Leeds Banking Company*, 13 W. R. 541, and been decided adversely to the defrauded shareholder. It has been indeed supposed by one of our city contemporaries that *Barrett's case* virtually overrules the decision of Vice-Chancellor Wood in *Ship's case*, to which we called attention in a recent number.†

This, however, as we shall presently show, is a misapprehension; though whether the state of the authorities, in accordance with which Vice-Chancellor Kindersley felt himself bound, against his own impression, to decide against Mr. Barrett, is satisfactory either in a legal or in a commercial point of view, is quite another question. The facts of the case were shortly as follows:—Mr. Barrett, who was a shareholder in the Leeds Banking Company, was induced, by a report of the directors issued in February, 1864, and containing a somewhat highly coloured account of the business—the profits being increased, by a simple process of arithmetic, from their real amount, £4,500, to the more imposing figure of £44,500—to apply for twenty-five new shares, the certificates for which were to be delivered by the 1st October, 1864. The shares were allotted, and Mr. Barrett, early in August, paid £660 into the bank in respect of them. On the 19th September, before the time for delivery of the certificates had arrived, the bank failed, and was subsequently ordered to be wound up. Mr. Barrett's name was placed on the list of contributories, not only in respect of the old shares, as to which indeed no contest arose, but also in respect of the twenty-five new shares which had been allotted, but not delivered to him. Mr. Barrett repudiated liability as to the new shares on two grounds—(1) That the contract was *in futuro*, and that, as the day for completion had been anticipated by the failure of the bank, the arrangement was at an end; and (2) that he had been induced to apply for these shares on the faith of the report which contained a gross and fraudulent misrepresentation as to the business and prospects of the company. With the first of these gounds we have no present concern; enough to say that Vice-Chancellor Kindersley held that the contract was *in præsenti*, thus leaving open to consideration the far more important question of how far Mr. Barrett's liability was affected by the misrepresentation of which he had been the victim. The cases upon the subject are numerous and not easily reconciled, and perhaps require a decision by the House of Lords to place the law upon a definite and satisfactory footing. At present, however, the weight of authority is undoubtedly unfavourable to any attempt by shareholders to escape from a liability into which they have been led by misrepresentations contained in a report issued by the directors. The leading cases on what may be called the shareholders' side of the question are *Bell's case*, 22 Beav. 35; *Ginger's case*, 5 Ir. Ch. Rep. 174; *The National Ex-*

* 9 Sol. Jour. 230. † 9 Sol. Jour. 391.

change Company of Glasgow v. *Drew*, 2 Macq. Sc. App. 103; *Brockwell's case*, 4 Drew, 205, and *Ayre's case*, 25 Beav. 513. The last of these cases has considerable similarity to that now under discussion, and was mainly relied upon on behalf of Mr. Barrett. There, as here, the misrepresentation was contained in the report of the directors, and on the faith of such reports both Mr. Ayre and Mr. Barrett were induced to apply for shares. The Master of the Rolls, in a most elaborate judgment, every word of which will repay perusal, held that misrepresentations contained in the report were misrepresentations by the company, and that a man who had been induced to apply for shares on the faith of statements in a report untrue, and known to the directors to be untrue, was not liable as a contributory. To the same effect was *Brockwell's case*, arising out of the disastrous Royal British Bank speculation. Vice-Chancellor Kindersley has thus stated (see *Worth's case*, 4 Drew, 532) the effect of his own decision, and we prefer to give the words of that learned judge to any abridgement of our own:—"If a company, consisting of a number of shareholders, enter into a contract with another person, and the whole body represent to that person something which is false, on the faith of which representation that person enters into the contract, upon the commonest principles of justice and equity, the contract cannot be enforced against the person who has been led into it by misrepresentation." As a corollary to this statement, we may point to the observations of Lord Cranworth, in *The National Exchange Company* v. *Drew*, 2 Macq. 126-7, and especially to the doctrine there laid down, that a report of the directors, made to and adopted by a general meeting of the shareholders, must be regarded as a representation by the company. (See also *The New Brunswick and Canada Railway Company* v. *Conybeare*, 9 Ho. Lds. Cas. 711.) Assuming, for the moment, that Mr. Barrett was a mere outsider, and had been induced for the first time to take shares in the Leeds Banking Company on the faith of the flourishing statements made in the report of February, 1864; on the broad and intelligible principle laid down in *Brockwell's case*, and the other authorities to which we have called attention, he would have been struck off the list of contributories. But, unfortunately for the interests of deluded applicants for shares, *Brockwell's case* has been, in effect, overruled by the full Court of Appeal in *Nicol's case*, 7 W. R. 677, 3 De G. & Jo. 387. Both cases arose out of the British Bank failure, and the only distinction seems to have been, that Brockwell saw the reports containing false statements at the bank, while Nicol had the reports shown to him by one of the directors, who assured him of the truth of the statements, and of the flourishing condition of the bank. Although, in the result, Mr. Nicol was not retained upon the list of contributories, the principle enunciated by Vice-Chancellor Kindersley, as to the effect of misrepresentations contained in a report by the directors, was expressly dissented from. According to Lord Chelmsford, if directors make fraudulent representations to the shareholders, and afterwards give them unauthorised circulation beyond the company, a stranger acting on such representations, and purchasing shares to his ultimate loss, has no remedy against the company unless the company is party to the fraud—in other words, companies are not responsible for the frauds of their directors. Lord Justice Turner seems to have held that, although the reports contained false and fraudulent statements, yet, as those reports were not made with a view to attracting purchasers of shares (though used by one of the directors for that purpose), the shareholders and the company generally were not liable for the consequences resulting from the use of the report in a manner not originally contemplated. That is to say, a report containing the most fraudulent misrepresentations may be issued by the directors,—not for the ostensible purpose of entrapping fresh dupes, but as information (!) to the shareholders,—and if one of the directors, by means of this report, ingeniously induces an outsider to fall into the snare, then, forsooth, the unfortunate applicant cannot repudiate the contract, as the misrepresentation was not made by the company at large, but by an unauthorised agent. A somewhat subtle distinction certainly, and not altogether consistent with the plain proposition laid down in some of the earlier cases to which we have referred, that a report by the directors is the representation of the company, and if false will nullify any contract made on the faith of it. But, until *Nicol's case* has been overruled, persons like Mr. Barrett, who have been induced to take shares by an official and authoritative statement that the company is in a prosperous and solvent condition, will be held to their bargain, even though the actual insolvency of the company has entirely deprived them of that for which they contracted. Such would seem to be the present state of the law, in accordance with which Vice-Chancellor Kindersley felt himself bound to hold that a report made at a general meeting was not a representation to the public.

No doubt there was this additional element in the case now under consideration, that Mr. Barrett was a member or the company, and not a mere outsider, induced for the first time, by reading the report, to apply for shares. But the learned Vice-Chancellor intimated that the result must have been the same if Mr. Barrett had had no previous connection with the company, and that after the discussion in *Nicol's case* he was no longer at liberty to follow *Brockwell's case* and *Ayre's case;* and, be it added, his own opinion. We do not propose to enter into the very nice questions of agency and notice which arise between directors and shareholders, or to discuss how far Mr. Barrett, as a shareholder, must be taken to have concurred in the false statements made by his directors, and held responsible for them. Looking at the way in which matters are managed in some of these companies, it certainly seems a cruel mockery to taunt the unfortunate shareholder with not having exercised a control and supervision over the accounts, and, in fact, with having placed confidence in the directors, whose misdeeds he had such slender means of discovering.

The case forcibly illustrates the difficulties and dangers which beset persons who will dabble in joint-stock undertakings; and those difficulties are certainly not lessened by the present state of the law, under which *Nicol's case* has superseded the more equitable and intelligible conclusions of Vice-Chancellor Kindersley and Sir J. Romilly in *Brockwell's case* and *Ayre's case*. It remains only to state that the decision in *Barrett's case*, however little we may approve of it, in no way affects that pronounced by Vice-Chancellor Wood in *Ship's case*. As we have pointed out, on a former occasion, Mr. Ship agreed to take shares in one company and found himself entered as a member of another. His case was not that he had been induced to join the concern through any exaggerated statements as to the prospects and profits of the business, but that he had intended to join a banking and discount company, and had no idea of incurring the risks attaching to a railway and general undertaking company, into which the modest undertaking to which he subscribed had, without any knowledge on his part, quietly developed. This was obviously a totally different case from that which we have been discussing, and to quote our own observation on a former occasion, Mr. Ship obtained a declaration of nullity rather than a divorce. As Mr. Ship's case is, however, now under appeal, we may have to return to the subject.

THE CASE OF THE BISHOP OF NATAL.

(*Continued from p.* 446.)

In our last article we considered the grounds on which the late judgments of the Judicial Committee must be supposed to rest, and mentioned two anticipated consequences therefrom, with an intimation of our dissent from such anticipations. We now proceed to discuss these propositions.

If the first were correct, then, in the recent case, the Judicial Committee must have declined to interfere on behalf of Bishop Colenso, and must have left him to defend himself in the civil courts at Natal against the pretended sentence of his metropolitan.

The adoption of this course was strongly urged upon the Committee by the counsel for the Bishop of Cape Town. Sir Hugh Cairns contended that, assuming the proceedings of Bishop Gray to be null and void, there could be no appeal against a nullity, and that the Crown, as head of the Church, had no original jurisdiction to entertain any complaint in causes ecclesiastical, but could only hear matter by way of appeal from a properly constituted legal tribunal.

The judicial committee have determined otherwise. They have decided that the Bishop of Cape Town had no jurisdiction to try Dr. Colenso at all, but they have added that, inasmuch as Dr. Gray, acting under the authority presumed to have been conferred upon him by his letters patent, professed to have held a court of justice, and with legal forms to have pronounced a judicial sentence, deposing the Bishop of Natal from his office of bishop, and depriving him of his see, that bishop had a right to call upon the Sovereign, as the head of the English Church, and the depositary of the ultimate appellate jurisdiction, to protect him in his office, and to declare the proceedings taken against him to be null and void. The judgment states that before the Reformation, in a dispute of this character between two prelates, an appeal would have lain to the Pope, but that all appellate authority of the Pope is, over members of the Established Church, by statute vested in the Crown.

We think that the reasonable deduction from this part of the judgment is, that the Crown still has power to assume an *original* jurisdiction in matters ecclesiastical in cases where the law provides no other jurisdiction; and that all questions as to the conduct of the bishops of the Establishment are cognizable by the Sovereign as head of the Church. The proper course then to be taken in the case of a bishop who has been appointed by letters patent, and who is accused of having betrayed the trust upon which he holds his office, would seem to be for some member of the Church (to use the language of the Ecclesiastical Courts) to "promote the office of the Crown" as supreme judge in all spiritual causes, and to pray that a special commission may be appointed to try the alleged charges against the bishop. The power of the Crown to issue such a commission, as a part of the common law, was expressly recognised by the judge in *Caudrey's case*, 3 Rep. 8, and by Lord Coke in his dissertation upon the King's Ecclesiastical Courts (4th Inst. 340). Hooker also (Works, vol. 3, Mr. Keble's 2nd ed. 434) says, "When, in any part of the Church, errors, heresies, schisms, &c., are grown, whatsoever any spiritual authority or power (such as legates from the see of Rome did sometimes exercise), hath done for the remedy of those evils, our laws have granted that the king for ever may do, by commissionaries, few or many, who, having the king's letters patent, may, in virtue thereof, execute the premises as agents, in the right, not of their own peculiar or ordinary, but of the king's super-eminent power."

We do not consider that the statutes (16 Car. 1, c. 11, and 13 Car. 2, c. 12) which abolished the Court of High Commission, have affected the power of the Crown to issue a commission of this kind. These Acts rendered it impossible afterwards to create a standing ecclesiastical court of the nature of the obnoxious court which was abolished. They did not affect the right of the Sovereign, as supreme ordinary and visitor in the church, to issue special commissions to visit, and, if necessary, correct the holders of its donatives. In point of fact, the Court of Delegates, which was frequently constituted after the abolition of the Court of High Commission, was composed of special commissioners appointed in each case by the Crown, to determine ecclesiastical causes, and, further, the power of the Crown to issue a special commission of review to consider the decision of the delegates, is expressly recognized in section 3 of the 2 & 3 Will. 4, c. 92 (the Act transferring the powers formerly exercised by the Sovereign through the Court of Delegates to the King in council), which provides that the judgment of the Crown in council shall be final and definitive, and that no commission should be thereafter granted to review such judgment.

The following passage from the Reports (part xiii., case 36) shows clearly that, at a time when the Court of High Commission was in full operation, Lord Coke considered the trial of a person holding a Royal peculiar before special Royal Commissioners, to be the right course:—"If the dean of a cathedral church, of the patronage of the King, be deprived *before the Commissioners of the King*, he may appeal to the delegates within the Act of 25 Hen. 8. For a deanery is a spiritual promotion, and not temporal; and, before the said Act, in such case, the appeal was to Rome immediately." The appeal to the Crown in council is now substituted for the delegates.

For all these reasons we think that the proper mode of trying a colonial bishop or the holder of a royal peculiar is by the appointment of special commissioners for that purpose. It may well be, that in order to prevent such a power from being oppressively used to the prejudice of the subject, and following the authority just cited, there is a final appeal to the Sovereign in council, whose judgment, being necessarily framed upon the report of the Judicial Committee, must be governed by the ecclesiastical law of England.

The opponents of the views of Bishop Colenso need not, therefore, despair of the opportunity of calling him before the proper ecclesiastical tribunal, to answer the grave charges of heresy brought against him on the "so-called merits," as the Lord Chancellor is reported to have phrased it.

NOTE.—We are informed that this case is about to assume a new complexion. The salaries of the colonial bishops are for the most part provided from "The Colonial Bishoprics Fund," which is supposed to be invested in the names of the four following trustees—the Chancellor of the Exchequer, Vice-Chancellor Page Wood, Archdeacon Hale, and Mr. Hubbard, M.P. It was anticipated that, as soon as the judgment of the Judicial Committee of the Privy Council declared the whole of the late proceedings of the Bishop of Cape Town to be null and void in law, the salary of the Bishop of Natal, which was being withheld while the proceedings were pending against him, would be paid. The council, however, who have the management of the fund, have announced, through their solicitors, that they are not prepared to pay the arrears of salary. This opens up a fresh aspect of the question, on which we may have some remarks to offer hereafter.

(*To be continued.*)

OUR CONVICTS AND THEIR TREATMENT.

No. II.

(*Continued from page* 235.)

One of the most discouraging features of our criminal system is the tendency exhibited on the part of convicts to look upon prison life as their normal state.

In a very valuable and interesting work which has been lately published on this subject,* by an author who has evidently devoted much time and attention to the question, it is stated that

"They take the prison as their luck. I am convinced the great bulk of them are happier there than outside. They are relieved of one almost unendurable burden to the like of them; and that is, responsibility for themselves. They don't always go out with much satisfaction. We know, and *they* know, that they are to have a short while of trouble, anxiety, and hardship, and then they will come back again. We welcome the known faces something in the way we would a member of the family that gets restless, and goes away and tries foreign parts, but gets tired of them and comes home again. The prison is the home of these creatures, and they have a home feeling in it."

Now, in Ireland, the convict discharged on licence is well aware that (in the words of Mr. James P. Organ, whom we have already quoted with reference to this matter) "he is only entrusted with liberty with a view to test the honesty of his good prison conduct." The

* "Odds and Ends, No. 2, Convicts: by a Practical Hand." Edinburgh: Edmondston & Douglas. 1865.

essence of the Irish convict-system, and the true explanation of its actual success, is to be found in the method of gradual progression, the convict being first, while in prison, raised step by step under a system of marks and rewards for good conduct, from one grade to another, amongst his fellows; then, when a habit of steadiness has been formed, released from prison-life, but not freed from control. The check which he lived under so long still continues, though in a mitigated form, by means of the supervision which we have described, and the good effects of this mode of gradual emancipation is vouched by the small number of relapses into crime amongst those that have been subjected to it for a sufficiently long period. Mr. Organ, in the able and exhaustive paper so often referred to, stated it as his opinion that a period of two years' supervision, at the least, was necessary, but sufficient for the purpose. In the paper alluded to he says—"Two years' battling with life and its vicissitudes in a state of freedom may, in my opinion, be taken as a fair test of a criminal's probably lasting amendment. Some will consider this period too long, but I do not, and experience has strengthened me in the opinion I now advance. I have known but three men to relapse after the time here mentioned, and two of them only exceeded the limit by three days. Discharged prisoners, who pursue crime as a mode of living after being two years out of gaol, do so either through poverty, drunkenness, or an over-confidence in their ability to evade detection."

Contrast this opinion, emanating from so high an authority, with the experience of the system which has hitherto prevailed in England, as vouched by the "Practical Hand." He says—

"As to an old thief reclaimed and made an honest man of, that is a sight I never saw in my whole experience, nor did I ever meet the man who did, or expect to hear of such a thing, on the word of any honest prison officer who knows what he is speaking of."

And again:—

"Find me the man who has made an honest working man out of an old thief, and I'll next set him about turning old foxes into house-dogs. The fact is, the thing is an impossibility; for a beast's propensity to kill its prey or feed on vegetables, as the case may be, is not more entirely a part of the animal than a thief's nature to steal, and nothing you can say or do will uproot it."

Now, this is just what, if we believe Mr. Organ, Sir Walter Crofton's system has done over and over again. The adoption in England of this system would, if it did but a tithe of this, be of the greatest benefit to this country; but to that end it should be adopted, if at all, as a whole. The engrafting of one portion of it, apart from the rest (the supervision of the police, for instance), upon the present English system, would not, we think, answer the desired purpose at all. The "*purpureus pannus*" has become proverbial. We do not mean to imply that some improvements may not be made upon the Irish system; but, at least, all its essential parts appear to be requisite, and these may be briefly summed up as being—Hard labour, and not too good prison diet; the gradual training of the convict under a course of rewards and punishments before his release on licence; and after he leaves the prison, strict police supervision. In order, however, that that supervision may be effectual for the real reformation of the licence-holder, licences should only be granted for considerable periods of time—we would say with Mr. Organ, two years at the least; and for this purpose nominal sentences should be long, so as to allow of an adequate period of prison probation, followed by a corresponding period of intermediate liberty on licence under surveillance.

This part of the necessary reform must necessarily be in practice confided to the discretion of the judges, as minimum punishments can hardly be much aggravated consistently with due regard to the possible circumstances of individual cases.

On the first of the requirements above mentioned, it is impossible to speak too strongly. Mr. Organ says, in reference to this—

"Natural and continuous toil in penal servitude, hard and dreary, bringing forth the honest sweat of the body, rarely, perhaps, disturbed when in a state of freedom, goes very far in removing that distaste for work which predominated amongst our convicts previously. It is strange, but true, that the prisoners who appear the most industrious at light labour in our gaols, and who appear most willing to serve and obey, are those who shrink from work the sooner when enlarged. If we expect to have this class alter their indolent and unsettled lives when again free, we should so train them within our prisons that they would not only seek for work, but yearn for it, and rejoice at getting it when without our prisons."

And to this end the old senseless plan of unremunerative labour, mere toil for toil's sake at the crank or the treadmill, must be abandoned. If you want a man to get over his distaste for work, you must interest him in his labour, it must be a relief to his mind, weary of having nothing to rest upon; and this you can never do with a system of toil that wearies the body, but leaves the mind utterly unemployed, adding the natural human dislike to fatigue to the insufferable weariness of *ennui*.

So much with regard to the changes which might, we believe, be advantageously made in prison and convict-discipline in England. At the same time, when everything shall have been done which even the wisest legislation can attempt by way of improvement, one of the main difficulties of the entire question will still remain to be solved—the difficulty of providing honest employment for the discharged convict. There is no denying the fact that a very large amount of prejudice, if that be not too hard a name to apply to the feeling, exists amongst employers against receiving into their pay a man who has ever been under a criminal sentence. Partly the idea is, that he may influence his fellow-workmen by his bad example, and that the habits which he has contracted in gaol, or which led to his imprisonment, will contaminate those about him at his daily work, but, above all, it is difficult to persuade employers of labour that convicts can be, under any circumstances, industrious steady workmen. Many masters, too, are loath to expose their men to the degradation, as it is considered, of working with convicts, and there are many who feel that the claims of the virtuous working population require that they should have the preference in the competition for employment, and that the reformed criminal should be postponed till all his honest fellows have been supplied—*i.e.*, to the Greek Calends.

But, although these objections still exist, it is no longer a matter of the same difficulty as some years since to procure a trial at least for the unfortunate licence-holder, and, from authentic reports which have been made on the subject, we have little doubt that the labour of such men, when under a proper surveillance, and cut off from their former associates and habits, will be as conscientiously given, and as remunerative, as that of their fellow-labourers.

One point, however, should not be lost sight of, with reference to the character of the supervision employed. In order that it may be effectual for the good of the convict, it is indispensable that it should be made as little apparent as possible. It must be real and continuous; the convict must be constantly and vividly sensible that he is at no time absolutely free from control; but it should not form a galling pressure, and, above all, should not be conspicuous. The system has, in practice, been found in Ireland to work best in proportion as its existence was concealed from the licence-holder's fellow-workmen. His employer should, at the same time, be kept informed in all cases, by the police or convict-inspector, of the character of the workman; but this should not be known to any but the convict himself.

One word with regard to another important branch of the subject. It is evident that, even for the best-inclined convict, there are always very great temptations when

brought in contact with old companions, and even, in many cases, with his own family, and that the chances of thorough and lasting reformation are likely to be good in proportion as the risk of reviving former dangerous associations is avoided. The practical hand tells us that, when a convict is released from prison, "the old thieves dog his steps everywhere, and they *will* get him into mischief, be his determination to go straight ever so strong." For this reason the best and safest remedy, when it can be applied, will be, that of voluntary emigration. The convict who, at the expiration of the period of the licence, can, by the help of his friends, by the aid of philanthropic persons, or, better than all, by means of savings of his own, find the means of passing from this country to one of the colonies, will, if really inclined to turn over a new leaf, find there opportunities and openings by which he may raise himself to comfort and independence, the want of which, perhaps, more than any innate badness of disposition, may have originally led him to the gate of the prison.

REVIEWS.

Debrett's Illustrated Peerage; Debrett's Illustrated Baronetage and Knightage. London: Bosworth, Regent-street. 1865.

These two compendious works are not together one-half of the size of Sir Bernard Burke's "Peerage and Baronetage." Sir Bernard considers that "the official rolls of the three kingdoms are three documents which *mainly* regulate the rank and standing of the roll, both spiritual and temporal." The rolls, however, are not merely main or leading authorities, but they have all the effect of records, so that evidence ought not, except on the clearest grounds, to be adducible to impeach their correctness. The course open to any person dissatisfied with the status allowed him, or those through whom he claims, is to have the record itself rectified, a proceeding not less difficult than the process of avoiding a judgment. Mr. Debrett professes to have compiled his works under the immediate revision and correction of the peers, baronets, and knights respectively. Of course, however, the rolls have been considered by the editors as conclusive authorities, so far as their records extend, which they must do as regards the determination of questions of relative status. Each volume contains a distinct essay on the nature of the dignities of which it treats. The titles borne by certain noblemen, when different from those by which they are popularly known, are given in the same line and in equal prominence with the former, so that the identity of the noble personages referred to becomes easily recognisable. The courtesy titles of the eldest sons of peers are likewise inserted, even the church benefices in the gifts of the baronets have this year been inserted.

Debrett's "Peerage and Baronetage" has been established for upwards of a century, so that it is the oldest extant work of this kind. It has, however, not merely a prescriptive, but also a meritorious claim to a continuance of the public favour.

The Law and Practice of the Court of Probate, Contentious and Common Form, with the Rules, Statutes, and Forms. By PHILIP WILLIAM DODD and GEORGE HENRY BROOKS. London: Stevens & Co. 1865.

This is a work which has, ever since the practice of the Court of Probate assumed consistency and form, been greatly needed. While the whole of the testamentary business of the country was in a very few hands, the rules governing its practice ought, without any great inconvenience, be entrusted to tradition for their preservation; but since this practice has become the privilege of the whole profession, it has become necessary that it should be published in an accessible form for the use of the profession. The only book on this subject which we have hitherto possessed (Coote & Tristram) was admittedly little more than a transcript of the published rules more commodiously arranged, and a reference to certain points of doubt, in respect of which the practitioner might require assistance, but without any attempt at that elementary instruction which the student requires. This, however, and much more, is supplied by the book before us. To say that it contains everything the practitioner can want would be absurd—first, because all experience shows that no writer can anticipate the ever varying phases of difficulties of practice, and it constantly happens that the point required is just the one not to be found; and, secondly, because, though we do not ourselves know everything that can be wanted, we are, nevertheless, able to find here and there an omission in this work.

For instance, the chapter on interest causes leads to the inference that in all such causes, except the special cases mentioned in page 662, the proceedings are by "plea and proof"—*i. e.*, we presume, now, by declaration and plea; whereas Sir J. Wilde has decided, in *Reynolds* v. *Raikes*, July, 1864, that where an executor, who has propounded a will, denies the interest of an intervener or caveator, the proceedings are to be by petition and answer.

In page 660 there is a curious and important misprint. Speaking of contests between persons, each of whom claims to be sole next of kin, it is said:—"It may often be expedient, as a matter of arrangement between the parties themselves, that the case of the person whose kindred is the *more* remote should alone go to trial;" and the case of *Thomas* v. *Maud*, 1 Add. 331, is cited as an example. That the word italicised (by us) should be "less" is plain, not merely upon principle, but from the decision in the case quoted.

We think also that the writers would have exercised a sound discretion had they omitted from this work the very elaborate and accurate treatise on the *factum* of a will, which occupies 262 pages, forming Part II of the book; as a book of practice the *residuum* would then have been almost, if not quite, as complete as could be hoped for, but we do not think its utility increased by the addition. The principles of law discussed in Part II find their place more naturally in a book like Williams on Executors, than a book of practice, of which this addition unnecessarily increases the bulk; while viewed as a treatise on the law of succession to personal property, it is necessarily too much condensed to be of a high class of practical utility. The book is, nevertheless, of a high order, and by far the most valuable book on the subject which has yet come to our hands.

COURTS.

COURT OF ADMIRALTY.

April 4.—The learned judge had appointed to sit to-day and hear motions, but on the opening of the court it was announced to the bar that his Lordship was unable, through indisposition, to take his seat. It appears that his Lordship has been suffering for some time, and that a few days since he had a fall, added to which a troublesome cough has confined him to his room. On the present occasion Mr. Rothery, the registrar, at the request of the learned judge, took the motions in chambers, and the cases appointed were adjourned. It is anticipated that his Lordship will be able to preside on Tuesday next, to which day the Court was formally adjourned.

LORD MAYOR'S COURT.

(Before Mr. Commissioner KERR.)

April 1.—*James* v. *The London, Chatham, and Dover Railway.*—Mr. Serjeant *Parry* and Mr. *Griffits* were for the plaintiff, who had been a picture-frame maker, No. 45, Skinner-street, Snow-hill, and the claim was for injury to the trade and premises by the works of the company, through the fumes and dust thereby caused.

Mr. *Gadsden*, for the company, objected *in limine* to the proceedings, inasmuch as by the decision of the Exchequer Chamber reversing the decision of the Queen's Bench, the present claimant had no right to compensation.

Mr. Serjeant *Parry*, urged that the case referred to was now before the House of Lords, and the decision of the Exchequer Chamber might be reversed. The principle in that case was most important in respect to railway claims; and it was well known that seven of the judges were in favour of the decision given by the Court of Queen's Bench.

After a lengthened discussion between counsel, it was arranged that the present case should stand over until after the decision of the House of Lords in that of *Ricket* v. *The Metropolitan Railway*, with the understanding that if the judgment of the Exchequer Chamber in that case be sustained, the present claim would be withdrawn.

SHERIFF'S COURT.

(Before Mr. Commissioner KERR.)

Shepherd v. *Sole, Turners, & Hardwick.—Parliamentary clerks and Parliamentary fees.*— This was an action to

recover £2 1s. for services rendered as parliamentary clerk, defendants being a firm of attorneys in Aldermanbury.

Mr. *Buchanan*, for plaintiff, called his client, who said that he had been engaged by defendants as an assistant parliamentary clerk, and was in their service two days. The sum claimed was very reasonable. The general remuneration was 21s. per day.

Mr. *Beard*, for the defendants, said that the plaintiff had charged a great deal too much, and defendants did not engage him at all. He had been taken on by Mr. Logie, who superintended their parliamentary work.

Mr. Logie was then called, and he deposed that reference clerks were paid 21s. per day while the reference lasted, but assistant clerks were not paid more than half the sum.

Mr. *Buchanan*.—Did you not pay one of the gentlemen in the house £3 3s. for stopping overtime one night?

Witness.—What was his name?

Plaintiff.—I would rather not mention names; but it was the brother of the cashier employed by the firm.

Witness.—I did not pay him anything.

Mr. *Beard* wished to point out that the defendants were a highly respectable firm, and plaintiff had written them most offensive letters.

His HONOUR was quite sure the defendants considered they had a good defence or they would not have come into court. There was hard swearing on each side, and the only way to settle the case was by dividing the difference between the parties.*

Verdict for plaintiff for 27s.

April 5.—*Heginbotham* v. *Cohen*.—*Auction Sales and Reserve Prices—Important Decision.*—This was an action to recover a loss on the re-sale of a certain lot of goods, Mr. *Ashley* appearing for the plaintiff, who is an auctioneer, and Mr. *Buchanan* representing defendant.

The plaintiff deposed that defendant had bid for a suite of drawing-room furniture, and it was knocked down to him. He neglected to clear it, and hence the re-sale.

Mr. *Buchanan* objected that no time was specified for clearing in the catalogue.

Plaintiff said that such might be the case; but the conditions of sale were printed in large letters, and posted in the room.

His HONOUR held that this would be sufficient to bind a bidder.

Mr. *Buchanan*.—Well, then, I come to my second defence. Your Honour will see that the catalogue states "without reserve." Now, plaintiff, was there any reserve price to this lot?

Plaintiff.—There was.

Mr. *Buchanan*.—Then I contend that the whole sale is vitiated.

Plaintiff.—But this was a pawnbroker's lot, and it is perfectly well understood in the trade that there is always a reserve price.

His HONOUR was of opinion that it was highly improper to advertise goods in a catalogue to be sold without reserve when all the time there was a reserve price. There could be no doubt about the law, and that the sale was void. Plaintiff would be nonsuited.

MIDDLESEX SESSIONS.

(Before the ASSISTANT-JUDGE.)

April 5.—*The Alhambra, Leicester-square*.—Yesterday an appeal was lodged with the clerk of the peace for the county of Middlesex, by Frederick Strange, the lessee of the Alhambra Palace, Leicester-square, against a conviction by Mr. Tyrwhitt, one of the magistrates of the Marlborough-street Police-court, on the 11th January, 1865, for unlawfully keeping a house and place of public resort for the public performance of stage plays, without having first obtained a license or letters patent to authorise such representations. The fine appealed against is merely of a nominal nature (£3 1s.), and the real object is to try the question whether music-halls can be permitted to give stage representations. The decision is looked forward to with great interest, not only by the owners of music-halls, but by the whole body of the theatrical profession, who contend that their interests have been seriously interfered with by these unlicensed representations. A special day will be set apart upon which this appeal will be heard, and the counsel engaged will be Mr. Poland for the appellants, and Mr. Besley (who conducted the prosecution before the magistrates), for the respondents.

* We beg to protest against this system of "rough justice."—ED. *S. J.*

WHITECHAPEL COUNTY COURT.

April 5.—*Levy* v. *Fuller*.—*A Roland for an Oliver*.—This was an action to recover the amount of 10s., the value of a piece of beef, pudding, and potatoes, with a dish and meat stand, which the plaintiff, a Jew, had entrusted with the defendant, a baker, to cook for him on Sunday morning, the 19th of February.

It appeared that on the previous Sunday plaintiff had received by mistake a large piece of meat other than he had sent to the defendant, and had on that occasion made no complaint, but eaten the meat and sent back the dish. On the Sunday in question the baker had returned him the original piece of meat re-warmed up, and refused to give him the meat he sent on that day. After a good deal of conversation,

His HONOUR gave judgment for the plaintiff for 5s.

GENERAL CORRESPONDENCE.

OVERSEERS OF THE POOR.

Sir,—Can any of your readers point out the statute or statutes which refer to the persons exempt from serving as overseers of the poor. Exemptions as to jurymen are to be found in 6 Geo. 4, c. 50, s. 2; are overseers entitled to the like exemptions? ONE, &c.

PRISONERS' EVIDENCE BILL.

"I begin to think," said John, "that justice is a better rule than conveniency, for all some people make so light on't."—ARBUTHNOT (*John Bull in his Senses*).

"What would be the great yearning in the heart of an innocent man charged with a criminal offence? It would be a hungering after speech, a sense of bursting with suppressed vindication, a longing to be allowed to speak out, and explain how all occurred."—CHARLES DICKENS (*Examine the Prisoner*).*

"There is no case, I am confident, in which an innocent man, who is put upon his trial, does not feel the injustice of the existing law."—RIGHT HON. JOSEPH NAPIER, Ex-Chancellor of Ireland (*Speech at the Dublin Social Science Meeting*, 1860.)

Sir,—The manly candour which prompted you, while avowing that you "differ *toto cœlo*" from the opinions entertained by Dr. Waddilove and myself in reference to Sir Fitzroy Kelly's Criminal Evidence Amendment Bill, to give publicity, as well to the doctor's admirably reasoned paper as to my own letter of the 15th ult., is worthy of all admiration. It emboldens me once again to address you, with at least an endeavour to reply *seriatim* to your principal objections, several of which are weighty, though none, I think, insuperable. "Good reasons must of force give way to better," and, I own it seems to me, that the balance of expediency is on our side.

You justly reprobate† the French system of *alternate interrogation, contradiction, and intimidation of the prisoner*," but is that the practice which we approve of, or which Sir Fitzroy Kelly seeks to introduce? Not at all. In language the most forcible and explicit, Sir Samuel Romilly recorded his opinion that the frequent endeavours of the French judges "to show their ability, and to gain the admiration of the audience by their mode of cross-examining the prisoner, necessarily made them, as it were, parties, gave them an interest to convict, and rendered them advocates against the prisoners." Yet Sir Samuel did not, on that account, the less strenuously support, in 1802, the opinions which we, in 1865, maintain; nor can I think the public need be apprehensive that by ceasing to impose a cruel and unjust restriction upon innocent defendants, we shall either work injustice to guilty prisoners, or run any risk of metamorphosing our judges into partisans. They full well know their duties and responsibilities, and they know as well what are and what are not the purposes for which our courts were instituted. "*The true object of a criminal prosecution*," said Chief Baron Pollock, in his address to the grand jury previous to the last Lewes Spring Assizes, "*the true object of a criminal prosecution is not to get at a verdict, but to get at the facts;*" and permit me to add that the discovery of truth, and the consequent protection of innocence and punishment of crime, are the very ends and aims for which tribunals are created, judges' salaries paid, the costly staff of every department of our jurisprudence kept on foot, and their enormous, not to say "oppressive," court fees borne

* "All the Year Round," June 7th, 1862.

† 9 Sol. Jour. 427.

with. If these three main ends be not, at all events as a general rule, attained, our toil and outlay are worse, very much worse, than wasted.

It is urged* that "*a prisoner put upon his trial—say for a capital offence—can now make his statement, whatever it may be.*" This is the truth, but is it, sir, the whole truth? Let us listen to Jeremy Bentham's reasoning.

"At a criminal trial, is a defendant allowed to deliver his own testimony at his own instance, and, consequently, in his own favour, to his own advantage? No; and yes. No, in words; yes in effect. In words no; for in that station, let a man *say* what he will, it is not *evidence*. No oath can be administered to him, lest, if that security for veracity were applied, it might have the effect of confining his statements—his non-evidentiary statements—within the pale of truth, which would be inconvenient. . . . In effect, yes; for so long as it is not called "*evidence*," he may *say* whatever he chooses to say under the name of his 'defence.'"†

How does this system work? Our Courts assume that every man is innocent until his guilt is proved, and rightly; but what is the course which they persistently adopt towards the unjustly-accused man, around whom they should have thrown the buckler of invulnerable protection? He stands in the dock—anxious indeed, but anxious mainly for a searching examination.

> "There's none ever feared that the truth should be heard.
> But them whom the truth would indict."

Yet when that innocent man has, in self-vindication, told a truthful tale, he learns to his horror that his veracity can avail him nothing; the jury have been sworn—"a true verdict to give according to the evidence"—and his defence, though true in spirit, and to the letter, not having been made on oath, is inadmissable, it is not, technically, "evidence."‡ "What then," exclaim the bye-standers, "perhaps this convict was, while an innocent, a very obstinate, man, or one who, from mistaken, though conscientious, scruple, refused to take an oath?" By no means! He argued, urged, entreated, and implored permission to enter the witness-box, but the Court, while ruling that no exculpatory evidence could be received except on oath, in the same breath refused him permission to be sworn."

You next admit, sir, and the admission is again creditable to your candour—"*There are, no doubt, many instances in which the evidence of a prisoner is the only direct evidence which could be brought forward.*" So far, so well; but your contention is, that "*it would be unfair to say that to meet such cases, in which the whole onus is on the prosecution, a door is to be opened to admit abuses which would be ten times greater than the evils sought to be remedied.*" I quite concur with you in believing that there are such cases, that there are "many" such cases, and that in short their name is "Legion." So thinks Sir George Grey, the Home Secretary, whose own account of those "failures of justice" (as the phrase runs) which comes annually under his supervision, is concise, but very suggestive—"they unfortunately are not rare"—I fail, however, perhaps the fault is mine, to comprehend how, in such cases, "the whole *onus* is on the prosecution." It seems to me, *haud incepertus loquor*, that the whole *onus*—and such a burthen is I do assure you a very heavy one—lies on the guiltless defendant, who, by the misapplication of a rule of law (always absurd, but originally invented to elude because it could not grapple with a still greater but now happily no longer existing evil), has been debarred from offering to the Court and jury, the evidence which would have, in an instant, cleared him. Nor can I see how the extending to such an one what is after all bare justice, can "open a door to abuses ten times greater than the evils sought to be remedied." Consider, sir, while to convict and punish any innocent man, is an evil, and an evil of enormous magnitude, to convict and punish every guilty one, is so far from being an evil that it is in fact, to confer a positive, and that no trifling, boon upon the community.

Yet again, "*the only real hardship lies in the case, not altogether unprecedented of perjured evidence. It is, doubtless, at first sight hard that a prisoner is to listen to a series of lies certified to on oath, which he is not permitted on oath to deny.*" This, indeed, is not 'the only' real hardship, but that it is a real hardship and a tremendous one, few will deny. It is, in fact, to compel A., who is innocent and consequently eager to be examined, to run the risk of unjust condemnation, lest B., who being guilty, does not desire to be cross-questioned, should be exposed to yield to an irresistible temptation, to thrust himself, uncalled for, into the witness-box, and there tell the truth. The late Marquis Beccaria put forth for solution a quasi-mathematical problem, the mere publication of which went far towards the abolition of rack and wheel throughout all christendom:—"The tension of the muscles being as X, required the amount of torture necessary to force an innocent man to confess himself guilty of any given crime?" Let me in humble imitation of that excellent and enlightened man, propose another problem for solution by those who advocate the continuance of our existing law:—"Given as X the infamy of any crime unjustly imputed to an innocent man; required the amount of physical nerve or moral courage, necessary to enable him to listen calmly and in silence, to the falsehoods or inaccuracies of his perjured or mistaken prosecutors?"

The objection remains:—"*that it would be very hard on most prisoners, if they were always liable to be placed in a position which required them either to be put on their oath, and to give testimony of, to say the least, doubtful veracity, or by declining to offer themselves as evidence, to give rise to a not unnatural suspicion of guilt.*" The cogency of this argument depends altogether upon two considerations, of which we are too apt to lose sight of entirely—First, whether most prisoners are, in point of fact, innocent or guilty; and second, whether, while it is admitted on all hands to be desirable that the innocent should be absolved, it is not at least equally expedient that for their own correction and the public safety, the guilty, but the guilty only, should be convicted.*

"*Valeat quantum.*" However, let us allow that this may be an objection, and then see how Bentham, instead of shirking recognizes and grapples with it. "In a cause of a penal nature," says he, "tender the oath to the defendant: if he accepts it swear him; if he declines it, do not attempt to force him, but warn him of the inference which, at the suggestion of common sense, every man will draw immediately. . . . This course seems equally advantageous whether guilt or innocence be supposed. In the case of innocence the objection vanishes, being innocent a man embraces with alacrity this as well as every other means of impressing the court with the persuasion of his innocence; in the case of guilt, a species of circumstantial evidence operating in proof of the guilt—a sort of evidence tantamount to non-responsion is thus obtained."†

Who can doubt that the result of the adoption by our Legis-

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* 9 Sol. Jour. 427.

† "Rationale of Evidence," book IX., part 5, ed. 1843.

‡ Mr. Blundell seems to us to have misapprehended the argument on this point. It may be shortly stated in the form of a dilemma. Either the prisoner's statement is *consistent* with the evidence or not; and the only case in which a true statement can possibly be *inconsistent* with the evidence is when that evidence is perjured. If the statement (presumed exculpatory) be consistent with the evidence, then, whether it be true or not, the prisoner is entitled to get off, because the prosecution have only proved a case consistent with innocence. If the statement be inconsistent with the independent evidence, no jury would believe the prisoner were he to swear to it a hundred times.

Thus an innocent prisoner has all the advantage of stating his case under the most favourable possible conditions, and without the liability of being broken down through nervousness, excitement, want of self-control, &c., on cross-examination. Indeed, the only evidence now practically excluded is the *cross-examination* of the accused, and anyone who knows what an engine of torture this is in the hands of skilful counsel, even when directed against intelligent and self-possessed witnesses, would be sorry to see it brought into daily operation here against the ordinary class of "suspects." We must add, however, that one of the ablest advocates of the proposed change in the law with whose acquaintance we are honoured, considers that the present law presses too hardly on the Crown, who ought to be allowed to compel prisoners, if really guilty, to supply the missing links of evidence essential to their due conviction. If this principle be granted *cadit quæstio*; without it, we think the proposed change indefensible, and we are not yet prepared to abandon the maxim that "No man is to be required to criminate himself."—Ed. *S. J.*

* The point of the argument here alluded to is not quite apprehended by the writer. The object of a criminal prosecution is to discover whether the prisoner did or not do *the act of which he is accused*; it may well be and often is the case that a prisoner, perfectly innocent of the specific offence for which he is put upon his trial, might yet, if skilfully cross-examined, be compelled to admit his complicity in or cognizance of other actions which, whether criminal or not, might prejudice his character or status, or offend, however unreasonably, his friends or neighbours, and yet any prisoner would be obliged to run this risk unless he were prepared to see the merest *prima facie* evidence against him converted by his reticence into cogent proof. This is an evil, to our minds, of no slight or fanciful character.—Ed. *S. J.*

† "Rationale of Evidence," book xi., chap. 6. "If," adds the philosopher, "it be so good a thing that a man should not be compelled or even allowed to criminate himself, would it not be a still better thing if nobody else were ever made to criminate him?"

lature of the plan which Bentham originated, and Sir Fitzroy Kelly and his supporters at present advocate, would be to multiply the chances in favour of the elucidation of truth, or in other words, of equitable verdicts; although I admit that it is not impossible that the wide field at present open for quibbling, browbeating of witnesses, *suppressio veri*, *allegatio falsi*, and the like chicanery, might be, and I have little doubt would be, diminished.

But it is suggested—"*If we could imagine the case of a prisoner being tried for murder, who should give evidence to show that he had actually committed the deed, and at the same time enter into explanatory details of the manner in which it was planned and accomplished, going through the story of his provocations and incitements to revenge; we could also imagine the horror of the judge, and the feeling akin to hate such a narration would inspire him with.*" No doubt a vivid imagination might conjure up a very fearful picture, but then calm reason coming to the rescue would reply—"horror and a feeling akin to hate," are, after all, in such a case, by no means the inappropriate results of such a confession; unless, indeed, "the provocations and incitements to revenge," were very great, in which latter case the judge—whose office since the prisoner avowed his guilt would, it must be recollected, be ministerial only—would not be one whit the less inclined to pity, or to extend such mercy as was consistent with his duty to the public, by the fact that the guilty prisoner, instead of aggravating his offences by denial, had confessed them manfully, coupling with his avowals unexaggerated and truthful statement of such matters as could fairly be alleged in extenuation. As to the correlative objection—that "*if such a criminal should offer himself as witness, with intent to hide the truth, the slow dragging from him by searching cross-examination of every circumstance which he would but too willingly conceal, would help still more to work up the feelings of judge and jury, and steel them—not against mercy alone, but common justice;*"—the reply is obvious. No wrong could possibly be the result, since no judge, however indignant, could pass upon such a prisoner a heavier sentence than the law awarded to his crime, while the worst the jury could do, would be to abstain from recommending, to the Sovereign's mercy, a prisoner who had aggravated his guilt by wilful and altogether uncalled for perjury.*

Mr. Gathorne Hardy's objections, which he himself does not put forward very strongly, seem to be reduced to this—"a defendant may"—*i.e.*, may, if so disposed, though he be not compelled to do so—"*render himself liable to be examined and cross-examined as to his whole career by the opposing counsel.*" But pray where—supposing always this be done, with due regard to justice, decency, the recognised practice of the courts, and the well-known laws of evidence, which the prisoners own counsel, if he have any, and if he have not, the judge, who is *ex officio* counsel for the prisoner, will see to—where, I ask, is the mighty harm of this? It is the duty of the Court to take care that the prosecutor and the prisoner alike have fair play; and that if innocent, but in that case only, the accused should be acquitted; still, on the other hand, there is much good sense in the stern old Roman maxim—"*judex damnatur, cum nocens absolvitur.*"

I feel that I trespass on your patience, yet there is one point more, which, though recently touched upon by the late Lord Chancellor of Ireland, as also by Dr. Waddilove, I am anxious to bring again before your readers; but I will do so briefly and in the *verba ipsissima* of Mr. J. P. Taylor, to whose authority on all matters connected with the existing law of evidence, its merits and short comings, all will I think defer. "Several large classes of injuries, as for example, assaults, slanders, and frauds, may be dealt with either civilly or criminally. If an *action* be brought in any or these cases, the defendant can be examined as a witness; but *if he be indicted or be summoned before the magistrate*, his mouth is closed. His accuser in the one case may give testimony without fear of contradiction; but in the other, he must speak in the presence of a man who can, very possibly, expose his exaggeration, disprove his statements, or even turn the tables upon himself. It is obvious that such a law not only gives a very unfair advantage to an accuser who proceeds criminally, but it has a natural tendency to promote prosecutions where actions would otherwise afford a preferable remedy." *

It is because I feel—I know—that every word of this is true; it is because I think with Dr. Waddilove that "it ought not to be left in the power of any man to select a criminal tribunal in order to silence his adversary;" and it is because I hold with Bentham, that "with reference to the ends of justice, the consequence of the actual state of the law (of criminal evidence) is, *to the guilty, nothing but impunity and triumph; to the innocent, nothing but danger and inconvenience*,"—that I thus, through your columns, reiterate my cry for justice.

B. BLUNDELL, F.S.A.

April 4.

* Here, again, there is a misunderstanding. The first supposition is merely put as *intensitive*, leading up to the second; to show by an *a fortiori*, that a man might, merely by the natural effect of a damaging cross-examination, be convicted on evidence which, if temperately dissected, would have been found insufficient.

CASE OF THE BISHOP OF NATAL.

Sir,—One view of the recent judgment on the Colenso case puzzles me and many others, and if you will remove the difficulty in the continuation of your able article on the affair, you will confer a great obligation on your readers.

Lord Westbury and his colleagues have decided, and the Attorney-General in Parliament has explained, that very important parts of the patents of the two bishops are void; that each bishop is simply a lay corporation sole, created under the common law authority of the sovereign; and, further, that the Church of England, in the colony of the Cape of Good Hope, is to be regarded in law as a voluntary association only; in short, a club.

Let us admit all these premises, and inquire whether they fully support the conclusions of the Privy Council.

Let us for illustration sake suppose a society established at the Cape, say an insurance society, having a superior district office and manager at Cape Town, a second district office and manager at Natal, and in every parish within each district an inferior agent subordinate to, and pledged to respect, the lawful orders of the manager of his district; let us also suppose the appointment of the Natal manager to have been expressed in the strongest language that he was to be, for some purposes, under the Cape Town manager. Can it then be said that the Natal manager, thus accepting office in the society, has not come at all under the jurisdiction of the Cape Town manager, or that, because the latter office happened to be vacant when the Natal manager was appointed, there is no contract of obedience, express or implied; or that, because the person appointing each manager had no right to oblige one to be subordinate to the other—therefore, one could not contract thus to be subordinate; or that because the person so appointing had no right to create a committee of inquiry to aid the Cape Town manager in investigating, should need arise, the conduct of the Natal manager; therefore, any inquiry by the Cape Town manager must be void, and accordingly that the Natal manager may with impunity break the fundamental laws on which, as would be admitted by both, the existence of their society depends?

Surely, sir, this cannot be the law? Yet, if it be not so in the case of a banking or insurance company or association—why is it so in the case of the Church of England, which is said to be, at the Cape, a mere association, subject to the same incidents as any other association, commercial or otherwise.

It cannot be said that the phraseology of the documents appointing the two managers (the patents of the Bishops), is insensible, because the colonial law does not recognise the condition of affairs at which that phraseology points; for, unless it be contended that such condition of affairs, and every modification of it, is essentially illegal, which no one has ventured to assert, then surely the language is as much binding on those who act under the documents in question, as the suggested appointments of managers would be binding on those managers, if the meaning of the phrases used were perfectly understood, and voluntarily accepted by them, though such phrases might be so foreign to the laws and habits of the colony as to be absolutely unintelligible there, without explanatory comments.

The ground you slightly touch on surely requires more consideration than it has received in your article. Do you mean that because the Queen "is head of the Church" in England, she is so at the Cape also? or that, because this headship is conferred on her by law in England, therefore, she cannot create by her common law authority, exercised as explained by the Attorney-General, two lay corporations sole, with ecclesiastical titles, one of whom shall be subordinate to the other in a country where the church of which

* Paper read before the Law Amendment Society, 11th of February, 1861.

she is the head here, has no legal existence as a church? Or do you mean to affirm that the ultimate appeal to the Queen as head of the Church, assuming that headship to exist at the Cape, is necessarily a bar to the immediate jurisdiction of one bishop over another—a metropolitan over a suffragan?

Observe, that I am not discussing the point whether the Cape Town or the Natal views on the merits of this case are correct, whether essential laws of the association have or have not been broken, but I seek your opinion on the points above-noticed, because it seems to me that the Privy Council judgment, dealing as it professes to do with the church as a mere society, may hereafter be applied equally to questions between members of any lay society. CITIZEN.

April 3, 1865.

[Some of the points suggested by our correspondent will be found dealt with in our columns this week. Some of his remarks will require further notice, and we hope soon to have an opportunity of referring to them.—ED. *S. J.*]

A BICENTENARIAN.

Sir,—As a remarkable instance of longevity in our profession, I beg to refer you to the Law List of the present year, by which it appears that a gentleman of the name of Wheatly, who took out his certificate for the year 1864-5, was admitted as long since as Hiliary Term, 1664.

E. W.

EASEMENTS OF LIGHT AND AIR.

Sir,—With regard to your remarks on my letter in your issue of the 1st inst.,* I would like to add, that my meaning would probably have been better expressed had I said that the dominant owner, in opening a window to the street, should be presumed to lay claim only to that amount of light and air he could lawfully derive from the street, when the land on the opposite side is built upon *to the same height as he himself could build upon his own land.*

Independently of the Statute Law, I am at a loss to discover any reason to presume anything against a man's right to increase the height of his building at his pleasure. Every man has a *primâ facie* right to do with his own property as he likes, and, therefore, when a dominant owner opens a window to a street, he ought to take into consideration the possibility of the land opposite being at some future time occupied by a large building; and the light and air he claims for his window should be only so much as he could legally derive *from the street alone;* as I conceive it would be a great injustice if the dominant owner, with that knowledge, chooses to open a window (which he seeks to have supplied with light and air from over the land of the servient owner) should by enjoying that window for twenty years, prevent the latter from afterwards making the most of his own property, especially when we consider that the servient owner has originally a property in the light and air over his own land, whether built upon or not.

Manchester. ARTICLED CLERK.

[Our correspondent's view, as corrected by himself, amounts to a total denial of all servitude in the particular case referred to, a cause which might or might not be beneficially introduced by statute (we incline to the negative view), but which would certainly be diametrically opposed to the principles of the existing law, not only in England but in every other civilized country of whose laws we know anything. The Statute Law has nothing to do with this matter beyond fixing an arbitrary prescription of twenty years: as a question of Easement, it is part of the Common Law.—ED. *S. J.*]

THE EVIDENCE OF PRISONERS.

Sir,—I entirely concur with the remarks made in your last number by the writer of an article with the above title, respecting the recent decision of Mr. Baron Channell, at Exeter. The evidence of the searcher, it seems to me, should have been admitted. But there is an observation at the close of the article, which I should wish to see corrected. The writer supposes that very possibly one of the causes acting on the judge's mind was the desire, which, in such trials, judge, jury, and counsel, often appear to feel, that a prisoner should not be convicted of infanticide. Now, although there is frequently such a desire manifested, in this particular case there was not. One of the two prisoners, it is true, commanded the sympathy of every one in court, but as to the other, for reasons it is unnecessary to state, a conviction would not have been regretted; and it so happened that the excluded evidence, if it had produced any effect at all, would have prejudiced the case of the latter. The decision of the judge, therefore, must have been entirely unbiassed by the consideration to which the writer alludes.

April 7. A BARRISTER IN THE WESTERN CIRCUIT.

* 9 Sol. Jour. 457.

REGINA *v.* WHIFFINS.

Sir,—I have just read the account in your Journal, &c.* of the 11th of March last, of the trial of the above case at the Central Criminal Court, and am greatly surprised at the extreme incorrectness of the same. What I said to the Recorder was that I had no instructions in the matter, but that I would acquaint my brother with what had taken place, and that I had no doubt but what he would, if it was correct, return the money.

It certainly appears from the tenor of your report as if I had received the money. Now I beg to state that I received no money whatever from the prisoners or their friends, in fact, to my knowledge, I never spoke to them, and as to assisting my brother, when I am required, as a matter of right, I do so; but it so happened, in this instance, that I was not at the Old Bailey in any case in which he was concerned, and was, therefore, unacquainted with any of the circumstances of the alleged defence. I can scarcely conceive how such an error has occurred, unless some evil disposed person wrote that portion wherein my name is mentioned, and gave it to your reporter. If such be the case, I must request you to favour me with the name and address of the writer. Trusting you will insert this letter in your next edition.

HIRAM NEALE.

62, Borough-road, Southwark, 6th April.

[We abridged the report of the trial from some one of the morning papers, we are not certain which: nothing was inserted that did not appear there. We are only responsible for the large print part of the notice, which was written in the firm belief that the report was substantially accurate, and was, we think, justified on that hypothesis. If the report has done any injustice to Mr. Neale, or any one else, we are exceedingly sorry that we should, however innocently, have been the means of giving it circulation.—ED. *S. J.*]

* 9 Sol. Jour. 385.

APPOINTMENTS.

WILLIAM DAVIS ARDAGH, Esq., to be deputy-judge of the county court of the county of Simcoe, Upper Canada.

JOHN CUTLER, Esq., of Lincoln's-inn, has been appointed to the vacant professorship of English law and jurisprudence at King's College, London. Mr. Cutler was called to the bar in 1863.

PARLIAMENT AND LEGISLATION.

HOUSE OF LORDS.

Tuesday, April 4.

THE NEW LAW COURTS.

The LORD CHANCELLOR gave notice of his intention to move the second reading of the Courts of Justice Bill on the 27th of April.

Lord CHELMSFORD observed that, as that was the first day on which their lordships would meet after the Easter recess, there might not be a very full attendance of peers on that day.

The LORD CHANCELLOR said that, if needful, the consideration of the measure might be deferred till the following Monday. He would leave the notice as it stood, but subject to alteration.

PUBLIC SCHOOLS BILL.

The Marquis of SALISBURY presented a petition from Harrow School, praying to be heard by counsel against this bill; and also a petition from inhabitants of Harrow, complaining of the invasion of the privileges of Harrow School by the proposed legislation.

The Earl of CLARENDON said that her Majesty's government had no objection to refer the bill to a select committee, with the understanding that that course should be adopted with the *bonâ fide* intention of examining the measure, and not with a view to hinder its progress.

The Earl of ELLENBOROUGH presented a petition from inhabitants of Rugby, in which the petitioners prayed that the bill might be referred to a select committee, and that they might be allowed to be heard by counsel before the committee against the measure. He did not see how their lordships could, consistently with justice, refuse to accede to that prayer. The petitioners were inhabitants of Rugby and of the adjacent district, and they had a special interest in the maintenance of Rugby School. That school was founded in the year 1567, by Lawrence Sherriff, and by his will it was to be placed under the direction of a master of arts, "an honest, discreet, and learned man, for ever." In the year 1780 an Act of Parliament was passed which defined the limits of the district within which people should be entitled to the benefits of the school—those limits being ten miles from Rugby. The school had extended under trustees practically similar to the trustees created in the first instance in the year 1602—namely, a dozen country gentlemen residing near Rugby. Those gentlemen had so well executed the trust confided to them, that the school at Rugby was now considered almost as a model school of this country. The benefit derived from the gratuitous education of children at Rugby was a most valuable property. They held that property by a deed of great antiquity; they had possessed it undisturbed for very nearly 300 yearly; it had been recognised by successive Acts of Parliament, and regulated in its exercise by successive decrees of the Court of Chancery. But valuable as it was it was proposed by the bill that, without hearing them, it should be taken from some of them at once, and in a few years from all of them, and that without giving them any compensation. He knew not what property could be held to be secure if a property thus resting on deeds, on antiquity of possession, on successive Acts of Parliament, and decrees of the Court of Chancery, for 300 years, was yet to be violated without hearing the persons interested, in order to carry out some fanciful scheme. If it should be necessary—but he trusted that it would not—he should move that the petitioners be heard by counsel against the bill.

The Earl of POWIS then presented a petition from the masters and fellows of St. John's College, Cambridge, praying that they might be heard by counsel against certain provisions in the bill.

Lord LYTTLETON said he hoped the prayer of the petitioners to be heard by counsel would be granted. It was clear to him that the bill should be referred to a select committee. He desired to point out, on the part of the commissioners, that they recommended that those who possessed vested interests in that case should enjoy them for a longer period than that set forth in the bill; and he should be glad to see that longer period adopted.

Thursday, April 6.

PRIVATE BILL COSTS BILL.

On the consideration of the amendments on the third reading of this bill, the following amendment was introduced at the suggestion of the Duke of CLEVELAND, on the motion of the LORD CHANCELLOR:—"Provided always that no landowner who *bond fide* opposes a bill which proposes to take any portion of his property for the purposes of the bill shall be liable to any costs in respect of his opposition to such bill."

The bill as amended passed.

HOUSE OF COMMONS.

Thursday, April 6.

BANKRUPTCY AND INSOLVENCY (IRELAND) ACT AMENDMENT BILL.

Sir C. O'LOGHLEN moved that the House do not agree to the Lords' amendment, striking out the clause expressly limiting the liability of shareholders in bankrupt railway companies.

After some remarks from Mr. BAGNALL, Colonel SYKES, Colonel FRENCH, Sir GEORGE BOWYER, and Mr. O'BRIEN,

Mr. M. GIBSON said, as he understood the matter, the shareholders in these Irish railways took their shares under limited liability. It was undoubtedly the law at that time that they could not be called upon to pay anything beyond the amount of their shares. In 1857 the Bankruptcy Act was passed for winding up bankrupts' property, distributing the assets, &c. Railways were not excepted from that Act, and it had been held that railway shareholders might be called upon to contribute until the whole of the debts of a company were defrayed. Now, he could not conceive it possible for any court of law to come to such a decision, because he did not see how the Act for winding up companies could alter the amount of the liability.

Colonel DUNNE hoped the clause would be restored unanimously.

The SPEAKER then put the motion "That the Lords' amendment be disagreed to," which was carried.

PUBLIC-HOUSE CLOSING ACT (1864) AMENDMENT BILL.

On the motion of Mr. Cox this bill was read a second time.

Pending Measures of Legislation.

THE REGULATION OF PLACES OF AMUSEMENT BILL.

The draft of a bill to amend the laws relating to theatres and other places of public amusement, which was brought in by Mr. Locke, on the 10th of last month, has been published. The first law which it proposes to amend is the 25th Geo. 2, c. 36, commonly called the Act of King George 2, the second section of which enacted that no house, room, garden, or other place, should be kept for public dancing, music, or other public entertainment of the like kind, in the cities of London and Westminster, or within twenty miles thereof, without a license had for that purpose from the last preceding Michaelmas Quarter Sessions of the Peace. The first clause of Mr. Locke's bill enlarges the scope of this second section of the Act of Geo. 2, making it apply also to places kept for the performance of stage plays, not only in and around London and Westminster, but throughout Great Britain—of course with the requisite variation in the matter of jurisdiction as regards Scotland. The second clause of the bill provides that no place shall be licensed for any of the purposes contemplated by it unless it is shown, to the satisfaction of the magistrates, that the place for which it is sought is constructed and arranged in conformity with the rules prescribed in the schedule. By the third clause, section three of the Act of George 2, relative to an inscription over a door or entrance and to the hour of opening, is repealed. The powers of the Lord Chamberlain, of justices of the peace, and of the Universities of Oxford and Cambridge, are saved by clauses four and six. The fifth enlarges the application of the Lord Chamberlain's power of licensing plays; and the seventh extends the existing enactments for the protection of authors of dramatic pieces, musical compositions, &c., so that they shall be applicable to places licensed under Mr. Loke's proposed Act for the public performance of stage plays.

Appended to the bill is a schedule of rules, intended to insure the safety of the public in theatres. These provide:—

1. That, with the exception of private box lobbies, to which the public have not free access, every hall or corridor shall be at leat five feet wide, and one foot more in width for each hundred persons over five hundred who are to be accomodated in the part of the building to which it leads.

2. That in each part of the building there shall be doorway access of six feet width at least for each five hundred persons to be accomodated in that part, and one foot more for each additional hundred; and that no box or internal doorway shall be less than three feet wide.

3. That all doors shall be hung so as to open outwards—that is towards the way of egress.

5. That all alleys and gangways in the audience part of the house shall be kept free from seats and every other obstructions to the free ingress and egress of the public.

6. That all gaslights in any part of the building which are, or may be at any time within two feet of any inflammable substance, shall be efficiently guarded with wire work or otherwise.

IRELAND.

THE MURDER OF MR. M'CROSSAN.

The Lord Lieutenant has been pleased to commute the sentence of death passed on John M'Laughlin, who was convicted at the last assizes for the county of Tyrone of the murder of Mr. John M'Crossan, solicitor. A memorial from the clergy, gentry, and merchants of Omagh, numerously signed by all classes, was forwarded to his Excellency, to which the following reply was received:—

"Dublin Castle, 22nd March, 1865.

"Sir,—I have to acknowledge the receipt of your letter

and memorial of the 21st instant on behalf of John M'Laughlin, a prisoner under sentence of death in the gaol of the county Tyrone, and to acquaint you that, on a full consideration of all the circumstances of the case, the Lord Lieutenant has been pleased to commute the sentence of death passed upon him to penal servitude for the term of his natural life.

"I am, Sir, your obedient servant,

"THOMAS A. LARCOM.

"Alexander C. Buchanan, Esq., J.P., Riverdale, Omagh."

A JURY IN TROUBLE.

An occurrence of rather an unusual kind took place at the Cork Assizes, where Mr. Serjeant Armstrong was engaged trying city records. Although very simple in its nature, it led to a very remarkable exercise of judicial authority. The jurors in an assault case (itself of great local interest), retired at a late hour in the evening to consider their verdict. Two (sheriff's) bailiffs and two policemen were sworn in to take charge of them, and the learned judge retired. It appeared that the jury did, for some time, discuss the case, but finding that there were differences not likely to be got over, they ceased all discussion. The night had set in, the room was without light or fire, and being very small, its discomfort began to be felt by the jurors, who were men of the respectable shopkeeping and trading class. Perceiving that the door into the adjoining court was not fastened, and that the court was lit up with gas, the jurors came out and took their places there. No obstruction was offered by the bailiffs, the jurors held no communication with any person outside their own body, and thus matters remained, until about eleven o'clock, when the Sub-Sheriff arrived. At his request the jurors returned to their room, and the learned judge was communicated with. He then returned to court, and the facts having been stated counsel on each side expressed their determination to move to set aside any adverse verdict. His lordship said the trial having been thus rendered abortive in consequence of the misconduct of the jurors, he would require their attendance on the following morning, when he would investigate the circumstances. In the meantime the bailiffs and constables were sent to prison for neglect of duty. On the following day they were brought up and examined on oath, when they pointed out the four jurors whom they stated to have been the first to leave the room.

His Lordship then made out the following order of the Court, which was read aloud by the registrar:—

"County of the City of Cork,

"Friday, March 31st, 1865.

"It is ordered that A., B., &c. (naming the four jurors so pointed out), be fined in the sum of £50 each for contempt of court, in coming from the jury room into open court without lawful permssion, on the 30th day of March inst., and that C., D., &c. (naming the eight other jurors), be fined in the sum of £20 each for like contempt, unless cause be shown to the contrary at the sitting of this Court on Monday next, the 3rd day of April; such cause to be shown by affidavit to be sworn and lodged with the registrar before the hour of 4 o'clock on Saturday, the 1st day of April next. "BY THE COURT."

Counsel appeared to show cause against making the order absolute. The affidavits of the jurors set forth the facts above stated, and disclaimed any intention of acting in contempt. The four jurors indicated by the bailiffs positively denied that they were the first to leave the room. Finally, the learned serjeant, after remarking upon the want of proper accommodation for gentlemen who came, at great personal inconvenience, to discharge an important public duty, said that in this case the consequences were most serious to the parties concerned. He could not allow the jurors to go without his marking his sense of their conduct. One had sworn he had never left the room; another that it was the first time he had served on a jury. On these two he would remit the fine; but each of the other ten should pay a fine of forty shillings. The bailiffs, &c., were discharged. The occurrence caused very considerable sensation.

CORK SPRING ASSIZES.

NEGLIGENCE—LORD CAMPBELL'S ACT (AMENDED 27 & 28 VICT. C. 95)—PECUNIARY LOSS.—*Boulter* v. *Webster*, 13 W. R. 289, *recognised*.

Daly v. *Shaw*.—This was an action to recover compensation for the loss of a child killed through the negligence of defendant's servant. The child had been run over; the driver of the cart was not at the same side of the road as that on which the child was. It appeared that he had loitered behind, and that he was in charge of two carts. The child was only twenty months old. The plaintiff was the father of the child; administration had not been carried out; the father sued as being beneficially interested.

The defendant traversed the alleged negligence; there were also pleas of contributory negligence,* and that no pecuniary loss was sustained by reason of the matter complained of, nor was there a reasonable expectation of pecuniary or other assistance of which plaintiff was deprived.† The only evidence of the prospect of advantage to plaintiff from the continuance of the life, was the statement (received subject to objection on the part of defendant) that a boy would be able to earn money in a garden when about twelve years of age.

At the close of plaintiff's case, Mr. Exham, Q.C. (Messrs. Jellett, Q.C., and O'Shaughnessy with him), for defendant, called for a nonsuit.

Messrs. Chatterton, Q.C., Barry, Q.C., and Waters, *contrà*.

Boulter v. *Webster* was cited; in that case the opinion of the jury had been taken.

Mr. Serjt. Armstrong said he would tell the jury that unless they believed that the plaintiff had suffered pecuniary loss through the death of this child, or that he had a reasonable expectation of advantage if the accident had not occurred, they could not find for the plaintiff. In solving this question they would consider the age of the child, and the ordinary chances against the continuance of its life.

The jury found for the defendant.

COLONIAL TRIBUNALS & JURISPRUDENCE.

"UPPER CANADA LAW JOURNAL," FEBRUARY, 1865.

In this number we find a discussion, not without pertinence in this country too, on the question, "What is an arbitrator?" Is he the agent and advocate of the person who names him, or is he a judge? "By the mass of our people," says the article, "the true position of an arbitrator is utterly misunderstood." Instead of two honest men sitting down to decide impartially, the arbitrators were two advocates, each striving with might and main to stand by the man who named him; with no chance of making an award, except by calling in some third person, at increased expense. Numerous instances were occurring of the strange misconception that prevailed. Arbitrators were heard talking of their "clients." Men in good social positions did not seek to disguise their advocacy. Instances were known of such men admitting that they bargained for a commission on whatever amount they could get awarded to the "client." In awards between individuals and public companies, compensation had been awarded for a strip of land to an amount exceeding what any man in his senses would give for the whole property. In addition there were huge bills of costs, in the shape of arbitrator's fees, assessed by the arbitrators themselves. If this is the state of arbitration at Toronto, it appears to be a case of *leges sine moribus*. Yet the same sort of feeling, though not so openly expressed, is but too rife, as we know to our cost, here also, and although as regards submissions made a rule of court, the 2nd section of 9 & 10 Will. 3, c. 15, provides that any arbitration or umpirage procured by corruption or undue means, shall be void, and may be set aside by any court of law or equity; and generally, partial or unjust behaviour of arbitrators is a ground for not enforcing an award; yet there are many cases of prejudiced or partizan conduct on the part of arbitrators which can not be so reached. We have ourselves heard an arbitrator, and with approbation from others, announce the principle, that he was to award what he thought his party morally entitled to get, though he might have no legal right to it, leaving the other side to set aside the award if they could.

"An incident" occurred in Hilary Term, in the Common Pleas, between two Queen's Counsel who disputed as to the liability for a fifty cent. stamp for setting down an appeal from the county court, which had been previously set down, but, on account of some irregularity, had not been heard. The counsel for the appellant declined to pay, as he said he had

* See *Abbott* v. *Macfie*, 12 W. R. 315, as to contributory negligence by an infant.

† *Duckworth* v. *Johnson*, 7 W. R. 655; *Dalton* v. *South-Eastern Railway Company*, 6 W. R. 574, 4 C. B. N. S. 296.

already disbursed that amount during the previous term. The counsel for the respondent contended that it was no part of his business to pay for setting down his adversary's appeal. The clerk would not set down the appeal until he received the fifty cents. Counsel proceeded to argue the point in due form, when the Chief Justice called the usher, gave him a dollar bill, and ordered him to buy the stamp.

In the same term, thirteen gentlemen, one of them, Mr. H. H. Coyne, being from London, passed the necessary examination qualifying them for call to the bar in Upper Canada. Mr. Coyne was not required, owing to his very creditable written examination, to go through the *vivâ voce*.

The admissions of attorneys numbered twenty-three, of whom Mr. R. R. Brough, and Mr. J. J. Brown, were from London.

The *Burley Extradition case*, in the Common Law Chambers, is reported in The *Journal* at a length of eighteen double-column pages. Burley, it may be remembered, was committed on a charge, under the Canadian Act giving effect to the Ashburton Treaty, of robbing the Captain of the United States vessel *Philo Parsons*, on lake Erie, in the State of Ohio, in an alleged enterprise to release the Confederate prisoners at Johnson's Island. A writ of *habeas corpus* was granted, addressed to the keeper of the Toronto gaol, and, a return having been made, the information and depositions touching Burley's commitment, were brought up on *certiorari* before the justices of the Queen's Bench in chambers at Osgoode Hall. Twelve points were established by the decision. The principal of them were that the judges were bound to construe the Ashburton Treaty in a liberal and just spirit, not labouring to find flaws or doubtful meanings in language or legal forms; that a British subject was liable to surrender in Canada, under the words "all persons;" that it was not necessary to the jurisdiction of a magistrate in Canada, acting under the treaty and the Canadian statute, either that a charge should be first laid in the United States, or a requisition be first made by the Government of the United States on the Canadian Government, or a warrant be first issued by the Governor-General of Canada requiring magistrates to aid in the arrest of the fugitive; in other words, the charge might be originated before the magistrate in Canada; that lawful acts of war against a belligerent could not be either commenced or concluded in a neutral territory; and that where the accused, on his examination before the magistrate, admitted the acts charged, which, *primâ facie*, amounted to robbery (a crime enumerated in the treaty), and alleged matter of excuse of an equivocal character, the magistrate was bound to commit the accused for the purposes of the Act. The necessity of a charge first made in the requiring state was much discussed in the case of *Anderson*, the fugitive slave, and was finally negatived there by decision.

Among the correspondence in the *Journal* is a letter from "A Barrister," complaining that the law society has not shown pluck enough in dealing with the black sheep of the profession. The black sheep are "poor young fellows" who "cut down" fees to gain a subsistence. The editors gladly publish the communication. The practice of cutting down would be thought, in the mother country, to be the legitimate fruit of advertising, on which we made some remarks in a former notice of the Canadian serial.*

SOCIETIES AND INSTITUTIONS.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The following petition was, on Thursday last, presented to the House of Commons by the Hon. George Denman, Q.C.:—

The humble petition of the Metropolitan and Provincial Law Association showeth—

1. That the Metropolitan and Provincial Law Association is a society, &c.†

2. In the year 1785, in consequence of an anticipated deficiency in the shop tax, which was a war tax, a duty was imposed upon the annual certificates of attorneys, solicitors, and proctors, together with a tax on warrants to prosecute.

3. Such shop tax has long since been repealed.

4. The tax on warrants to prosecute, together with all other taxes on law proceedings, were, in the year 1824, declared to be inexpedient, as taxes on the administration of justice, and were accordingly abolished.

5. Nevertheless, the annual certificate duty has been not only not repealed, but was, from time to time, prior to the year 1853, increased from its original amount of £5 on metropolitan and £3 on provincial certificates, to £12 on metropolitan and £8 on provincial certificates granted to persons who had been admitted more than three years, half those sums being charged during the first three years from admission. In the year 1853 this annual duty was reduced to its present limits, of £9 on metropolitan, and £6 on provincial, certificates, with the like reduction of one-half in favour of practitioners not admitted more than three years.

6. Your honourable House has of late years acted upon the now established principle that all taxes should be imposed fairly and generally, and not for the protection of any particular class or interest; and it is evidently unjust that a tax should be imposed upon one particular class in exoneration of any other class.

7. While the branch of the legal profession, to which your petitioners belong, is not, and justly is not, exempted from any taxes which are imposed upon the other classes of their fellow citizens, it affords the only case in which British subjects, following a lawful and honourable calling, are prevented by law from each placing their own value upon the exertion of their respective individual talents and industry, and are restricted to a scale of charges that does not vary with the gradually increasing expenses of living, arising from the continual diminution in the relative value of money, and from other causes.

8. The amount of revenue derived from this duty is comparatively insignificant, while the tax presses heavily and unequally upon solicitors having but small practice.

9. The numerous enactments which have been passed of late years for the amendment and alteration of the law, as well as for regulating the practice of the courts, and other changes in practice effected by General Orders, have had the effect of considerably diminishing the emoluments of attorneys and solicitors, and, at the same time, of rendering the disbursements necessary for the prosecution of the business of their clients more onerous. This applies particularly to the establishment of county courts, and to the introduction of printing, and to a more simple form of procedure in chancery practice. The effect of these changes on the practice of many solicitors, and particularly on many country solicitors, who have to pay a London agent in chancery business, has been to make it impossible to derive the means of subsistence from their profession. As evidence that chancery practice has ceased to be remunerative to country solicitors, your petitioners quote the following resolution, passed at a meeting of influential solicitors, held at the law society on the 1st February last, for the purpose of considering a subject quite unconnected with the attorneys' certificate duty, viz.:—"That the remuneration of solicitors in the country for chancery business is at present so inadequate, that many of them refuse to undertake such business at all, and their clients are driven to seek the assistance of strangers, and that it would, in consequence, be of advantage to suitors that better remuneration should be afforded."

10. The certificate duty, from which the other branch of the legal profession is exempt, is equivalent to a tax of £3 per cent. upon the average incomes of attorneys and solicitors. The effect of it is, therefore, that they are compelled to pay an income tax of five and a-half per cent., while the rest of their fellow subjects pay two and a-half per cent. only.

11. As an evidence of the severe pressure of the annual certificate duty at the present time, your petitioners crave leave to draw the attention of your honourable House to the fact that a large number of attorneys and solicitors are every year excluded from the *Law List* in consequence of their certificate duty not having been paid within the time fixed by the Act.

12. Your petitioners submit that, according to every principle of fairness and justice in taxation, if it can be deemed expedient to impose any especial tax on the talent and energy of persons engaged in lawful and honourable business, such tax ought to be raised by an equal assessment upon every branch of industry.

13. As the protest which your petitioners feel bound to make against this tax is founded upon the fact that it is partial and unjust in its nature, much more than upon its actual amount, your petitioners cannot regard the remission of a portion thereof, which was made in 1853, as any settle-

* 9 Sol. Jour. 358. † See 9 Sol Jour. 398.

ment of the question; but, on the contrary, they consider such remission as only a small instalment of justice, and an acknowledgment that the tax is, in itself, indefensible.

Your petitioners therefore humbly pray that your honourable House will be pleased to take this subject into consideration, and that the annual duty on the certificates of attorneys, solicitors, and proctors may be wholly repealed.

LAW STUDENTS' JOURNAL.

LAW STUDENTS' DEBATING SOCIETY.

The report of the secretary of this society has just been issued:—

It appears that during the quarter which commenced on the 10th January last, twelve meetings have been held and six legal and four jurisprudential questions discussed—the questions appointed for discussion at two of the meetings having been postponed on account of the evenings being occupied with the business of the society. The question discussed on the 28th March has been adjourned to the 11th April for further discussion, as many of the members, desirous of speaking upon it, had not time to do so.

The average number of members attending the meetings was thirty-four; the highest number being forty, and the lowest twenty-six.

The number of members speaking upon the legal and jurisprudential questions has been eleven; and the average number of members voting has been seventeen, of whom an average of eleven were present at the divisions, and six voted by means of the register of votes.

The time occupied by the debates averaged two hours.

The number of members of the society is now 142, twelve gentlemen having been elected members during the past quarter, and six members having resigned, and five having otherwise ceased to be members.

A committee was appointed on the 7th February to prepare petitions to the Houses of Parliament in favour of the bills for the concentration of the Courts of Justice. The petition to the House of Commons was presented by Mr. Mahins, Q.C., and Lord Cranworth has undertaken to present the petition to the House of Lords.

The committee appointed on the 7th June, 1864, to consider the subject of publishing the reports of the society's debates more frequently and in a more extended form, presented their report at the first meeting in this quarter, and upon their recommendation, the Society has established a periodical under the title of "The Law Students' Debating Society's Journal and Reporter," to be published three times a-year. The first number of the Journal was published accordingly in January last.

At the meeting of the society on Tuesday, the 4th April, Mr. Kenrick in the chair, the secretary read his quarterly report of the proceedings of the society.

The question discussed was "Is a bequest a breach of a condition against assignment contained in a lease?"—Notes to Dumpor's Case, 1 Sm. Lead. Cas. Woodfall's Land. and Ten., 7th Ed. p. 500. Mr. Eyles opened the question in the affirmative, in which way the society decided it.

PUBLIC COMPANIES.

London and Lancashire Insurance Companies.

The reports of the London and Lancashire Insurance Companies for the year 1864 have been issued in anticipation of their meetings this day. The fire premiums amount to £108,597, or, after deducting re-assurances, £100,843, being an increase of £43,547 over 1863. The losses were £67,065. Six per cent. interest has been paid to the proprietors. The new business of the Life Company, under 502 policies for £340,699, produced in premiums £9,698.

Lord Cranworth's award on the question at issue between Mr. Leonard Edmunds and the Brougham family.—The following is a copy of this award:—

"Whereas by an agreement in writing under the hands of William Brougham and Leonard Edmunds, the said William Brougham having signed the same on behalf of himself and Lord Brougham, it was agreed to refer all questions and disputes between them, the said Lord Brougham, William Brougham, and Leonard Edmunds, to the award of me, Robert Monsey Lord Cranworth, and the parties to the said reference have agreed that the subjects so submitted to me were embraced under three heads:—1st. Whether Lord Brougham is liable to the payment of all or any part of a sum of £5,000, secured by a mortgage dated in 1811, or the interest thereof. 2. Whether William Brougham is liable to Leonard Edmunds in respect of a bond for £1,200 dated in 1845; and, 3, whether W. Brougham is liable to repay to Leonard Edmunds all or any part of a sum of £9,300, alleged by Leonard Edmunds to have been paid or accounted for by him to W. Brougham as a trustee for the family of John Brougham, deceased, but which William Brougham had not applied on any such trust. Now, having taken on myself the burden of the said reference, I decide as follows:—

"1. As to the said mortgage, I decide that Lord Brougham is liable to repay the principal sum of £5,000 thereby secured, with interest thereon, from the 24th of June, 1864, up to which time all parties admit that interest has been paid. I come to this conclusion on the facts as stated by Lord Brougham and W. Brougham. I place entire confidence in what Lord Brougham states, namely, that he did not receive any part of the £5,000, and had altogether forgotten that any such mortgage existed; but his brother James Brougham joined in the mortgage, and Lord Brougham and James Brougham jointly and severally covenanted with the mortgagee for payment of principal and interest. James Brougham died at the end of 1833; but shortly before his death he came to certain arrangements with Leonard Edmunds, under which it was stipulated that Leonard Edmunds should thenceforth pay the interest on the mortgage (£200 per annum), which James Brougham was, by virtue of his covenant, bound to pay. Leonard Edmunds has accordingly regularly paid this interest, which I consider to be the same thing as if James Brougham, one of the parties liable, had himself paid it. The mortgage, therefore, is clearly a subsisting mortgage valid against Lord Brougham, who, though appearing on the face of the deed to be the principal debtor, was, I have no doubt, merely a surety for his brother James.

"2. With respect to the £1,200 bond there is no dispute. W. Brougham is clearly liable to the payment of the £1,200 thereby secured, with interest from 24th of June, 1864, up to which day it is admitted that all interest has been paid.

"3. As to the £9,300 claimed by Leonard Edmunds, I decide that he has no right to recover any part of it. He says it is the amount of payments of £300 per annum which, for the last thirty-one years, he has paid to or on account of W. Brougham as a trustee for the family of John Brougham, but which sums W. Brougham has appropriated to his own use. W. Brougham admits the receipt of £100 per annum, but no more; but he denies that he received it as a trustee for the family of John, or on any other trust, though it was well understood between him and Leonard Edmunds that it should be made available towards the liquidation of the debts of James; and, accordingly, it is established that in the year 1840 W. Brougham effected a policy on the life of Leonard Edmunds for £3,000, and he has ever since applied the £100 per annum (within a small fraction) to keep alive the policy, and so form a fund for payment, or towards payment, of the £5,000 at Leonard Edmunds' death, when his payment of the interest would cease. I do not think it necessary to pursue any investigation as to this part of the matters referred to me, for, even taking the facts to be as represented by Leonard Edmunds, they do not give him a right to recover back from W. Brougham money which he holds as trustee for the family of John. If the facts be as Leonard Edmunds represents them to be, the family of John may have a claim on W. Brougham which this award cannot reach. Dated this 26th day of January, 1865. "Cranworth."

Legal Technicalities.—In a case lately tried in the Court of Common Pleas—*Phelps* v. *London and North-Western Railway*—the verdict was for the plaintiff, *subject to an important question of law reserved for the opinion of the judges!* The following are the facts which we derive from the daily press:—

"The plaintiff in this case was a solicitor, and having occasion to attend a county court in Wales, he travelled from London on the defendants' line, taking with him a portmanteau, in which, besides wearing apparel, were various papers and trust deeds which it was necessary for him to have with him in court. On arriving at his destina-

tion the portmanteau was missing, and was not found for several days. He was obliged, in consequence, to consent to an adjournment of the hearing of his case to the next holding of the county court. Singularly enough, on his journeying on the same business into Wales to attend the county court, the portmanteau was again mislaid, and was not found till the judge had risen. The plaintiff thereupon brought this action to recover damages for the expense to which he had been put.

"The objection was taken for the defendants that papers and deeds were not passengers' luggage, for the detention of which they were responsible. Subject to the opinion of the Court on this point, the plaintiff had a verdict for £40."

If the *Times*, instead of urging the appointment of more judges in order to get through the legal business of the country, would protest against the time of the public being wasted in discussing such questions as this, it would be more usefully employed. This is special pleading, but it is not justice. The chance of escaping just claims through a quibble, encourages a vast deal of cruel litigation. Railway companies and other powerful bodies resist everything and everybody, right or wrong, and it pays in the end so long as justice is thus entangled and liable to be defeated by technicalities. Hundreds of cases of oppression occur, the particulars of which are never made public; but we hear enough to make it evident that reform is imperatively necessary. Commercial men should look to this, for lawyers will not; indeed, we can hardly expect that they should.*—*London Review.*

THE CHURCH IN YORKSHIRE FORTY YEARS AGO.—The wave of Church revival, then beginning to ripple over the land, had not reached Yorkshire villages. The clergy were, for the most part, moderate, tolerant, high Churchmen; but of frequent services, of ritual propriety, of Church restoration, they knew nothing. The venerable church of the Holy Trinity at Hull was spoilt by tumble-down galleries. Howden was almost a ruin. Stagnant water often turned green in the exquisite choir of St. Mary's, Beverley; and the nave, where service was held, threatened to overwhelm parson and people in common destruction. Its ill-planned "lofts" were causing the walls to bulge; its floor was covered with lumber, a disgrace to civilization. The village churches were scarcely tenantable. Many of the clergy were men of refinement and education, yet they affected the manners of their parishioners, and spoke the variety of Anglo-Saxon still called *broad Yorkshire;* others were persons of very humble attainments; and one at least was supposed to eke out his scanty income by being the owner of a general shop, kept in another name. The manner of conducting Divine service, and the hour of beginning, varied almost every Sunday. "You maun't ring t' bell; parson be'ant coming to-day." . . . "There'll be nob-but litany, t'vicar must get back to . . . and there's a flood between this and . . . ." The old clergy often addressed individuals by name from the pulpit. "See Farmer Ploughshare there," said an uncompromising pastor in the fulness of his heart, "he cannot bear the Word of Life, and is slipping out through t' belfry." "Nowt o' t' sort," rejoined the indignant rustic, "A'm only ganging hame to turn t' pie, A' shall be back in a crack." The whole family had come to unite in worship; the great meat pasty, which was to serve for the Sunday dinner, was left baking in the oven, and the provident farmer, fearing that it would be burned on one side, and not enough cooked on the other, was quietly retiring that he might turn it round.—*Churchman's Family Magazine.*

A FASTIDIOUS MURDERER.—D. L. Bivins, who, it will be remembered, some time ago murdered his father, mother, and wife at Woodstock, Michigan, takes exception to the sale of photographs of himself by a business man at Hudson, because, as he alleges, they were taken over a year ago, with his uniform on, and do not resemble him now. He publishes a card as follows:—"Adrian, Michigan, Feb. 28, 1865.—Editor *Cleveland Plaindealer*,—Please announce in your paper that the photographs taken and being sold by D. H. Spencer, Hudson, Mich., are not genuine ones, as they were taken with my uniform on, and do not resemble me now; but there will be some immediately before the public that are genuine ones, and taken with my clothes on at the time the deed was done, and such as wish to purchase will do well to wait and obtain the genuine.—D. L. BIVINS." The Detroit *Tribune* says he is in the habit of circulating among the crowds who visit his cell cards containing the name, as follows:—"D. L. BIVINS, the Murderer."

THE CODES OF JUSTINIAN AND NAPOLEON.—A correspondent writes us to protest against the assumption being made that there is any true parallel between the Code Napoléon and the Pandects and Code of Justinian, or that the last two may be cited as a model for the labours of modern jurists in the codification of English law. He says—"The Code Napoléon was a reduction of written laws into a system; it was, in fact, a digest of law. The 'Code' of Justinian is a collection of statutes—that is, of judicial decisions of the Roman Emperors as the supreme judicature, and of the Prætorian Edict—'a heterogeneous mass of objects,' says Mr. Austen, 'having no other relation than that they are all of them Imperial constitutions—that is to say, statutes and other orders emanating from the Emperor directly, and not from subordinate legislatures or tribunals.' The Pandects—that is, fragments from the writings of celebrated and authoritative juris-consults, were arranged by Tribonian by the command of the Emperor, '*tam secundum nostri constitutionem codicis quam Edicti Perpetui imitationem.*' The contents of these excerpts or fragments and of the Code were arranged according to the order of the Prætorian Edict. No systematic reduction into a code, in the proper sense of the word, of the laws of the Populus or Plebs, nor the consults of the senate, nor of the constitutions of the Emperors was ever attempted. The Prætor's Edict, a shapeless mass of occasional and insulated rules, was the only known model for the projected compilation. The Pandects were analogous to judicial decisions. They formed, together with the Imperial constitutions, 'a compound of statute and judiciary laws; being partly a collection of statutes proceeding immediately from a sovereign legislator, and partly a collection of judicial decisions proceeding immediately from a sovereign judge.' (*Austin, Juris*, vol. ii.) Since, therefore, the contents of the Code and Pandects were arranged according to the order of the Prætorian Edict, their compilation had as little pretension to the name of systematic as if it were merely alphabetical."

CICERO AVENGED.—The Imperial biographer of Julius Cæsar is particularly critical in his estimate of Cicero, for whom he has, perhaps, a natural dislike. He does not, however, bring up against the orator the famous line—

"O fortunatam natam me Consule Romam,"

which has been so often quoted as a specimen of the great man's vanity and weakness. It was reserved for a brand-new Imperialist, for M. Ponsard, academician, chief dramatic poet of the dull school, to avenge the poetry of the destroyer of Catiline by the following complimentary verse upon the historian of Cæsar:—

"Mortuus est vivus, narratur Cæsare Cæsar."

Some of the French scholars have endeavoured to improve this verse by turning it into

"Vivus defuncto narrat de Cæsare Cæsar,"

which indeed makes it *Latin*, but does but little if anything more for it.

* This is an error. We believe every reform in Pleading and Practice which has been introduced—and they are legion—has been the work of lawyers.—ED. *S.J.*

ESTATE EXCHANGE REPORT.

AT THE GUILDHALL HOTEL.

March 30.—By Mr. ALFRED W. WOOD.

Forty £10 shares in the Greenwich Pier Company—Sold from £21 to £22 10s. per share.

Freehold ground-rents, amounting to £37 10s. per annum, secured on houses at Highgate-hill—Sold for £750.

Freehold, 17 houses and cottages, with some stabling, being Nos. 1 to 15, and 24 and 25, Albany-place, Holloway—Sold for £3,300.

Freehold ground-rents, amounting to £456 per annum, arising from property situate at Holloway—Sold for £6,220.

April 4.—By Messrs. DEBENHAM, TEWSON, & FARMER.

Lease of suite of offices, on the ground-floor of No. 31, New Broad-street; term, 4¼ years unexpired—Sold for £400.

Leasehold house, being No. 5, Sydney-place, Lansdowne-road, Clapham; term, 37 years unexpired; ground-rent, £4 per annum—Sold for £175.

AT GARRAWAY'S.

March 28.—By Messrs. SELF, SON, & HILL.

Leasehold, the Morpeth Castle Tavern, Wick-road, Victoria-park; term, 45 years unexpired, at a rental of £100 per annum—Sold for £4,550.

March 29.—By Messrs. EDWIN FOX & BOUSFIELD.

Freehold ground-rents amounting to £39 per annum, secured upon 12 houses and building land at Harrow—Sold for £700.

Leasehold, improved ground-rent of £27 per annum, for 61 years unexpired, secured on houses situate in Caledonian-road—Sold for £485.

Absolute reversion to £925 cash, receivable on the death of the survivor of two lives, aged 61 and 62 years—Sold for £460.

By Mr. LOUND.

Lease, 21 years from Lady-day last of the Roebuck Public House, Richmond-hill, together with goodwill and possession of business—Sold for £1,110.

By Mr. J. S. GOWER.

Leasehold premises, known as Nos. 5, 6, 14, Wharves, North-side Paddington Basin—Sold for £3,070.

March 30.—By Messrs. ELLIS & POOL.

Leasehold, 5 houses, being Nos. 15, 17, 19, 21, and 23, Backchurch-lane, Whitechapel, producing £134 per annum; term, 21 years from 1861, at a rent of £80 per annum—Sold for £330.

April 4.—By Mr. ANDREW HIND.

Lease, &c., 28 years unexpired, of the Red Cross public-house, Barbican—Sold for £1,550.

By Mr. JOHN DALLOR.

Leasehold dwelling and building land, situate in Old Ford-road, Bow; term, 74 years unexpired; ground-rent, £4 per annum—Sold for £325.

By Messrs. PRICE & CLARK.

Leasehold profit rent of £90 11s. 8d. per annum, for 20 years, arising from premises, being No. 19, South Audley-street, Grosvenor-square—Sold for £900.

Leasehold residence, being No. 30, Queens-crescent, Haverstock-hill; term, 99 years, from 1850; ground-rent, £10 per annum; let at £50 per annum—Sold for £455.

Leasehold residence, known as Thespis-villa, Greville-place, Kilburn; let at £50 per annum; term, 73 years, from 1827; ground-rent, £16 16s. per annum—Sold for £190.

Leasehold residence, being No. 52, Lisson-grove; let at £38 per annum; term, 20 years unexpired; ground-rent, £4 10s. per annum—Sold for £165.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

DAVIDSON—On March 21, at Dublin, the wife of William J. Davidson, Esq., Solicitor, of a son.

DWYER—On March 28, at Dublin, the wife of James Dwyer, Esq., Solicitor, of a son.

JERMYN—On March 27, at Cork, the wife of T. H. Jermyn, Esq., Solicitor, of a daughter.

LAWLESS—On March 24, at Rathmines, the wife of John Lawless, Esq., Solicitor, of a son.

SKELTON—On March 28, at Derbyshire, the wife of Geo. Skelton, Esq., H. M's. Judge of the Courts of Mixed Commission, Sierra Leone, of a daughter.

SMITH—On March 28, at Somerfield, Reigate, the wife of C. J. Smith, Esq., Solicitor, of a daughter.

STEAVENSON—On March 28, at Darlington, the wife of F. T. Steavenson, Esq., Solicitor, of a son.

MARRIAGES.

BERGIN—WALSH—On Jan. 15, at Belchworth, Victoria, P. Bergin, Esq., of Wahyungah, Victoria, Australia, to Lizzie, daughter of the late Thomas Walsh, Esq., of Loughrea, Solicitor, and late coroner for the county of Galway.

BURR—TOMLINSON—On March 30, at Ashbourne, Derbyshire, Geo. C. Burr, Esq., London, to Mary, daughter of W. Tomlinson, Esq., Solicitor, Ashbourne.

CHURCHER—SNOW—On March 30, at St. George's, Hanover-square, George Palmer Churcher, to S. G. Owen Snow, Widow of Chas. Owen Snow, Esq., Barrister-at-Law, of the Middle Temple.

GALLOWAY—SHARPE—On March 15, at the parish church, Old Trafford, Henry Galloway, Esq., of Manchester, Solicitor, to Ada, daughter of the late John Sharpe, Esq., of Old Trafford, Manchester.

GOODWIN—RUDDERFORTH—On April 1, at St. James's, Piccadilly, W. Goodwin, Esq., Barrister-at-Law, to Augustine A., daughter of E. H. Rudderforth, Esq., M.D., Air-street, Piccadilly.

GRAINGER—STODDART—On March 28, at St. Thomas's Chapel, Stepney, Henry Grainger, Esq., to Charlotte, daughter of C. Stoddart, Esq., Solicitor, Stepney.

HASTINGS—HOLT—On March 28, at St. George's, Hanover-square, G. Hasting, Esq., of Lincoln's-inn, Barrister-at-Law, to Constance A., daughter of the Rev. E. C. Holt, of Eccleston-street, Chester-square.

JEREMY—EVANS—On March 28, at the Abbey Chapel, Tavistock, D. Jeremy, Esq., of Lincoln's-inn, Barrister-at-Law, to Grace, daughter of the late Rev. Richard Evans, of Swansea.

POWER—CHANCE—On April 4, at the parish church, Edgbaston, R. Power, Esq., Solicitor, New Boswell-court, to Sarah Lucas, daughter of the late George Chance, Esq., of Edgbaston.

STREETEN—OSBORNE—On April 4, at the parish church, Julian's-town, near Drogheda, W. W. Streeten, Esq., Lincoln's-inn, Barrister-at-Law, to Sarah H. A., daughter of the late F. N. Osborne, Esq., of County Meath, Ireland.

DEATHS.

ANNING—On April 1, Mr. John Anning, for nearly 40 years Vestry Clerk of Sunbury, Middlesex, aged 61.

BAILEY—On March 20, Catherine, wife of C. Bailey, Esq., of Manchester.

BARBER—On March 28, Charlotte M., daughter of William Barber, Esq., of Lincoln's-inn, aged 5.

L'ESTRANGE—On March 28, at Dublin, Anne, relict of the late Samuel L'Estrange, Esq., Barrister-at-Law, aged 80.

MARTIN—On March 25, John Martin, Esq., Barrister-at-Law, of the Middle Temple, aged 34.

McCORMACK—On March 26, John McCormack, Esq., Chief Police Magistrate of the colony of Sierra Leone, aged 72.

McDONNELL—On March 25, at Dublin, Rose Charity, second daughter of James McDonnell, Esq., Barrister-at-Law, aged 2.

O'BRIEN—On March 28, at Dublin, Michael O'Brien, Esq., First Clerk in the Crown and Hanaper Office.

WHARTON—On March 27, G. B. Wharton, Esq., Lincoln's-inn-fields, Clerk of the Peace for the county of Durham, aged 93.

WILLIAMS—On March 28, Elizabeth, the wife of Edward Williams, Esq., Solicitor.

UNCLAIMED STOCK IN THE BANK OF ENGLAND.

The amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

CORBIE, JOSIAH, Birmingham, Attorney, deceased. £90 10s. 1d. New £3 per Cent. Annuities—Claimed by Samuel Carter, jun., the executor.

LLOYD, RICHARD, Walmsley, Glanrason, county of Flint, Esq., and JOHN HUGHES, of Lincoln's-inn, Esq. £63 4s. 4d. Consolidated £3 per Cent. Annuities—Claimed by said J. Hughes, the survivor.

MITCHELL, THOMAS JOHN, King's Dragoon Guards, Esq. £2,174 1s. 3d. £3 5s. per Cent. Annuities—Claimed by said T. J. Mitchell.

PETT, EDWARD, Golledge, Bardgate, Darlington, Durham, Surgeon. £325 Consolidated £3 per Cent. Annuities—Claimed by said E. G. Pitt.

THOMPSON, CHARLOTTE, Nafferton, Yorkshire, Spinster. £134 1s. 8d. Consolidated £3 per Cent. Annuities—Claimed by said C. Thompson.

LONDON GAZETTES.

Winding-up of Joint Stock Companies.

FRIDAY, March 31, 1865.

LIMITED IN CHANCERY.

International Racecourse Society (Limited).—Order to wind up made by the Master of the Rolls, dated March 27. Abraham, Gresham-st, solicitor for the petitioners.

Brighton Brewery Company (Limited).—The Master of the Rolls has fixed April 10, at 12, at his chambers, for the appointment of an official liquidator.

Universal Mercantile Association (Limited).—Vice-Chancellor Kindersley has fixed April 10, at 12, at his chambers, for the appointment of an official liquidator.

Rolling Stock Company of Ireland (Limited).—Creditors are required, on or before April 17, to send their names and addresses, and the particulars of their debts or claims, to Samuel Lowell Price, Gresham-st. April 28, at 12, is appointed for hearing and adjudication upon the debts and claims.

UNLIMITED IN CHANCERY.

Agriculturist Cattle Insurance Company.—The Master of the Rolls will, on April 12, at 1, at his chambers, proceed to make a call on all the contributories, and on whom no call has been made under this winding-up; and that the said judge purposes that such call shall be for £20 per share of £40.

TUESDAY, April 4, 1865.

LIMITED IN CHANCERY.

Factage Parisien (Limited).—Petition to wind-up, presented April 1, directed to be heard before the Master of the Rolls, April 22. Freshfields & Newman, Bank-buildings, solicitors for the petitioners.

Factage Parisien (Limited).—Petition for winding-up, presented April 4, directed to be heard before the Master of the Rolls, April 22. Abrahams, Gresham-st, solicitor for the petitioners.

Oswaldtwistle Cotton Spinning and Manufacturing Company (Limited).—Petition for winding-up, presented March 30, directed to be heard before Vice-Chancellor Wood, April 22. Norris & Allen, Bedford-row, Agents for Plant, Preston, solicitor for the petitioner.

Friendly Societies Dissolved.

FRIDAY, March 31, 1865.

Pontesford Friendly Society, Nag's Head Inn, Pontesford, Salop. March 24.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, March 31, 1865.

Ellam, Joseph, Huddersfield, York, Cartwright. April 25. Edwards v Ellam, M.R.

Elias, Jane, Neath, Glamorgan, Widow. April 29. Kempthorne v Elias, M.R.

Gurnell, Thos, Dartford, Kent, Chemist. April 22. Fox v Gurnell, M.R.

Hasluck, Chas, Snaresbrook, Essex, Gent. April 28. Snow v Hasluck, V.C. Wood.

Hutton, Rebecca, How-green, Buxton, Derby, Gentlewoman. April 28. Tomkinson v Naden, V.C. Kindersley.

Leach, Geo, Bath, Somerst, Esq. April 21. Leach v Leach, M.R.

Leite, Jose Pinto, Moorgate-st, Merchant. May 2. Leite v Velho M.R.

Pargeter, Caroline Eliz, Foxcote, Worcester, Spinster. May 10. Brook v Badley, M.R.

Ward, John James, Southsea, Hants, Licensed Victualler. April 28. Hore v Ward, M.R.

Pescott, Wm, Portsea, Southampton, Carrier. April 19. Finch v Pescott, V.C. Wood.

Wheal Anna Mine, Cornwall. May 2. Forman v Harvey, V.C. Stuart

TUESDAY, April 4, 1865.

Knowles, Geo, Newnham, Gloucester, Wine Merchant. May 2. Tunstall v Bartlett, V.C. Wood.

Lee, John, Richmond, Surrey, Gent. April 24. Lee v Blizard, V.C. Kindersley.

Lees, Hy, Glossop, Derby, Esq. April 25. Hall v Grimshaw, V.C. Wood.

Morce, Richard, Chorley, Lancaster, Gent. April 29. Morce v Jones, V.C. Wood.

Tharle, Wm, Carisbrooke, Isle of Wight, Gent. April 27. Hansford v Barton, V.C. Wood.

Walton, Robt, Alston, Cumberland, Gent. April 24. Jennings v Batey, V.C. Kindersley.

Webster, Robt, Beighton, Derby, Gent. April 22. Taylor v Taylor, M.R.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, March 31, 1865.

Ashburnham, Juliana, Broomham, Guestling, Sussex, Widow. June 1. Palmer & Co, Bedford-row.
Boyle, Edwd, Upper Hillmarton Villas, Camden-rd. May 1. Greenwood, Chandos-st, Cavendish-sq.
Davis, Richd, Clarendon-street, Somers-town, Brushmaker. June 24. Eiloart, Gt James-st, Bedford-row.
Dyson, Thos Davie, Leicester, Hosier. May 6. Haxby, Leicester.
Drury, Eliz, Eton, Buckingham, Widow. July 1. Roberts & Co, Moorgate-st.
Grout, Wm, Sclater-st, Brick-lane, Bethnal-green, Trimming Seller. May 15. Butler, Tooley-st.
Maddison, Geo, Beighton, Norfolk, Yeoman. April 29. Fosters & Co, Norwich.
Mann, Wm, Eltham, Kent, Esq. May 15. Butler, Tooley-st.
McNaughtan, Mary Ann, Woolwich, Kent, Spinster. May 15. Foulger, Tanfield-ct, Temple.
Myers, Richd, Marshall-st, London-rd, Southwark, Gent. May 13. Cooper, Blandford-pl, Regent's-pk.
Porter, Wm Jas, Himbleton, Worcester, Vicar. June 1. Humfrys, Hereford.
Simpson, Edwd, Norfolk-st, Mile-end Old Town, Gent. May 15. Donne, Prince's-st, Spitalfields.
Sitwell, Wm Hurt, Barmore Castle, Northumberland, Esq. May 1. Nicholson & Herbert, Spring-gardens.
Sitwell, Frank, Barmore Castle, Northumberland, Esq. May 1. Nicholson & Herbert, Spring-gardens.
Shearman, Robt, Bousfield, Orton, Westmoreland, Yeoman. May 22. Thompson, Appleby.
Smith, Thos, Wheatley, Oxford, Surgeon. April 29. Smith, Mornington-rd, Regent's-pk.
Tennent, Jas, Cranmer-ter, North Brixton, Major. June 1. Blakeley & Beswick, Nicholas-lane.
Thompson, Robt Harrison, Appleby, Westmoreland, Bank Agent. May 22. Thompson, Appleby.
Turner, Sarah, Gloucester, Widow. May 1. Jones & Starling, Gray's-inn-sq.

TUESDAY, April 4, 1865.

Cox, Cordelia Isabella, Dorset-st, Middx, Spinster. June 1.
Edwards, John, Heightley, Montgomery, Farmer. May 1. Yearsley, Welshpool.
Hodges, Wm, Washington, Sussex, Gent. April 29. Tribe & Green, Worthing.
Johnson, John, Manch, Carver. June 1. Jackson, Manch.
Lee, Thos, Little Bolton, Lancaster. April 26. Whitaker, Duchy of Lancaster Office, London.
Martin, Admiral Sir Hy Byam, K.C.B., St. James's-sq. May 1. Simpson & Dimond, Henrietta-st, Cavendish-sq.
Roff, Robt, Stow-on-the-Wold, Gloucester, Yeoman. May 31.
Rotherham, Richd Kevitt, Coventry, Esq. May 1. Woodcocks & Co, Coventry.
Short, Jas, Sherborne, Dorset, Gent. May 1. Melmoth, Sherborne.

Assignments for Benefit of Creditors.

FRIDAY, March 31, 1865.

Durrant, Edgar, & Leonard Durrant, Hastings, Sussex, Drapers. March 10. Sole, Aldermanbury.
Sykes, John, & Thos Holt, Huddersfield, York, Woollen Merchants. March 14. Hesp & Owen, Huddersfield.

Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, March 31, 1865.

Aitken, Paul Hy, Mansfield-st, Kingsland-rd, Contractor. March 29. Comp. Reg March 30.
Allen, Walter, Yeovil, Somerset, Innkeeper. March 1. Asst. Reg March 29.
Baker, Richd, Mincing-lane, Colonial Broker. March 17. Asst. Reg March 30.
Banks, Hy, Wednesbury, Stafford, Iron Master. Jan 14. Comp. Reg March 29.
Benning, Wm Granger, Queen-st, Law Publisher. March 21. Conv. Reg March 29.
Bingham, Hy, Litchurch, Derby, Builder. March 18. Conv. Reg March 31.
Bird, Frank, Faversham, Kent, Builder. March 8. Asst. Reg March 30.
Bucknell, John Holcombe, Taunton, Somerset, Carpenter. March 17. Conv. Reg March 30.
Burrows, Thos, Waterloo, Lancaster, Builder. March 4. Conv. Reg March 30.
Church, Joseph, Leckhampton, Gloucester, Builder. March 22. Asst. Reg March 31.
Colling, Wm, Barnard Castle, Durham, Provision Dealer. March 4. Conv. Reg March 31.
Cooper, Fredk Fox, Chester-pl, Kennington-rd, Dramatic Author. March 28. Arr. Reg March 30.
Crichton, Jas, Threadneedle-st, Comm Agent. March 23. Comp. Reg March 30.
Curtis, Wm, Banbury, Oxford, Innkeeper. March 10. Conv. Reg March 31.
Cuttle, John, Scarborough, York, Hosier. March 2. Conv. Reg March 28.
Edwards, Thos, Flint, Grocer. March 10. Conv. Reg March 31.
English, Geo, Gray's-inn-rd. March 11. Comp. Reg March 28.
Firth, Wm, & John Hopkinson, Bradford, York, Dyers. March 7. Conv. Reg March 28.
Ford, John Ingram, Taunton, Somerset, Printer. Feb 16. Comp. Reg March 28.
Gibbs, Edwd, Melton Mowbray, Leicester, Saddler. March 21. Conv. Reg March 28.
Gillett, Wm, Brize Norton, Oxford, Brewer. March 10. Asst. Reg March 28.
Godfroy, Robt Fredk, Crawford-st, Dyer. March 25. Comp. Reg March 31.
Haggard, Hy, Wm Jas Watson, & Robt Geo Sillar, Cheapside, Bullion Merchants. March 28. Asst. Reg March 29.
Hart, Chas, Northampton, Shoe Manufacturer. March 20. Conv. Reg March 30.
Harney, John Jones, Sheffield, Crinoline Skirt Manufacturer. March 11. Comp. Reg March 30.
Hatch, Joseph, Southampton, Grocer. March 9. Comp. Reg March 30.
Hawkins, Wm Hy, Walthamstow, Essex, Baker. March 24. Comp. Reg March 28.
Heather, Chas, High-st, Wapping, Carman. March 26. Comp. Reg March 31.
Hill, Pointon, Lincoln, Grocer. March 13. Conv. Reg March 28.
Humphreys, Saml, Birm, Tailor. March 2. Conv. Reg March 29.
Irish, Marmaduke, Reading, Berks, Wine Dealer. March 2. Conv. Reg March 28.
Jenkins, Edwd, Belper, Derby, Clothier. March 8. Asst. Reg March 29.
Johns, Robert, Devonport, Bookseller. March 23. Conv. Reg March 30.
Johnson, Wm Harral, Lpool. March 24. Comp. Reg March 28.
Jones, John, Stoney Stratford, Buckingham, Plumber. March 3. Conv. Reg March 30.
King, Robert, and Walter Grey Shettleworth, St Paul's-churchyard, Warehousemen. March 14. Comp. Reg March 28.
Knight, Wm, junr, and Hy May, Tewkesbury, Gloucester, Boot Manufacturers. March 15. Comp. Reg March 31.
Lawrence, Nathan, Cardiff, Glamorgan, Auctioneer. March 23. Conv. Reg March 28.
Leidesdorf, Gottschalk Mayer, St Mary Axe, Merchant. March 30. Arrt. Reg March 31.
Locking, Geo, Cleethorpes, Lincoln, Licensed Victualler. March 8. Conv. Reg March 29.
Longbottom, Jas, Leeds, York, Waste Dealer. March 21. Comp. Reg March 31.
Magnus, Chas Wm Albert, Hackney-rd, Shoe Manufacturer. March 24. Comp. Reg March 30.
Mayer, Moses, Castle-st, Aldersgate-st, Merchant, March 21. Comp. Reg March 31.
Mockridge, Danl, Limekiln-lane, Bristol, Coach Builder. March 2. Conv. Reg March 30.
Morrell, Geo, Wellington Hotel, Horfield, Innkeeper. March 3. Comp.
Morris, John, Portmadoc, Carnarvon, Painter. March 3. Comp. Reg March 30.
Pinnock, Geo, Kentish-town-rd, Cheesemonger. March 6. Comp. Reg March 30.
Preece, Wm, Oxford-st, Clockmaker. March 24. Comp. Reg March 31.
Prout, Victor Albert, Baker-st, Photographer. March 27. Comp. Reg March 29.
Purcell, Wm, Garden-ct, Temple, Clerk in H. M's. Post Office. March 25. Arr. Reg March 28.
Rayner, Edwd, & Edmd Howarth Young, Lpool, Timber Merchants. March 9. Comp. Reg March 31.
Robertson, Geo, & Wm Hy Ward, Fenchurch-st, Provision Merchants. March 9. Conv. Reg March 31.
Robson, Shadrach, Lpool. Comm Agent. March 6. Conv. Reg March 31.
Shedlock, Jas Forster, Holloway, out of business. March 3. Conv. Reg March 30.
Smethurst, Chas, Cheapside, Comm Agent. March 30. Comp. Reg March 31.
Soans, Edwd King, Stockwell-pl, Clapham-rd, Surrey, no trade March 3. Conv. Reg March 29.
Steffano, Peter, Cardiff, Ship Chandler. March 2. Conv. Reg March 30.
Sutcliffe, Wm, Stanps Mill, Stansfield, York, Manufacturer. March 4. Asst. Reg March 29.
Taylor, Jabez, Gainsborough, Lincoln, Joiner. March 2. Asst. Reg March 29.
Thomason, Geo, Lancaster, Builder. March 27. Conv. Reg March 30.
Tice, Wm, Westminster-bridge-rd, Gas Engineer. March 3. Conv. Reg March 31.
Todd, John, Anfield Plain, Durham, Draper. March 27. Comp. Reg March 29.
Tunnell, Wm, Sunderland, Durham, Watchmaker. March 14. Comp. Reg March 30.
Tyson, Joseph, Macclesfield, Chester, Boot Maker. March 7. Comp. Reg March 30.
Wadlow, Hy, Spitalfields-Market, Potatoe Salesman. March 29. Comp. Reg March 30.
Ward, Grace, Stratford, Essex, Paper Hanging Manufacturer. March 3. Asst. Reg March 29.
Welland, Geo, Kirdford, nr Petworth, Sussex, Grocer. March 16. Comp. Reg March 29.
Wightman, Matthew, Kirkby Folly, nr Mansfield, Nottingham, Publican. March 27. Comp. Reg March 30.
Williamson, Wm Blizard, jun, Sidbury, Worcester. March 6. Conv. Reg March 29.
Willicombe, Geo, Tunbridge Wells, Kent, Builder. March 17. Comp. Reg March 31.

TUESDAY, April 4, 1865.

Baber, Wm, Colchester, Essex, Draper. March 14. Comp. Reg April 4.
Belton, Thos Storey, Kingston-upon-Hull, Brewer. March 16. Asst. Reg April 1.
Berrington, Robt, Burslem, Stafford, Grocer. March 10. Conv. Reg April 3.
Breeze, John, St Harman, Radnor, Farmer. March 3. Conv. Reg March 31.
Brown, Wm, Blackheath-hill, Kent, Draper. March 7. Conv. Reg April 3.
Cambridge, Wm Colborne, Bristol, Engineer. March 30. Comp. Reg April 4.
Cawthorne, Geo, Bolton, Lancaster, Shoddy Merchant. March 14. Conv. Reg April 4.
Chalmer, Fredk, Sheffield, Comm Agent. March 20. Conv. Reg April 3.

Clark, Alfred, Stockton, Durham, Jeweller. March 13. Conv. Reg April 1.
Cook, Edwd John, Ipswich, Estate Agent. March 20. Conv. Reg April 3.
Corbett, Jas, Compton, Kinver, Stafford, Beer Retailer. March 10. Asst. Reg March 31.
Deeley, Abel Smith, Birm, Shoe-tip Manufacturer. March 8. Conv. Reg April 1.
Dinham, Eliza, Manch, Widow. March 13. Comp. Reg April 3.
Dumas, Francis Kuper, & John Allers Hankey, Fenchurch-st, Merchants. March 31. Comp. Reg March 31.
Earle, Nathaniel John, Exeter, Tea Dealer. March 7. Conv. Reg April 1.
Gregory, Wm, Shoreditch, Grocer. March 6. Comp. Reg March 31.
Harding, Chas, Birm, Ironmonger. March 15. Comp. Reg April 1.
Hitchin, Thos, & Joseph Jones, Birm, Screw and Rivet Manufacturers. March 15. Asst. Reg April 4.
Holderness, Hy, St Mark's-ter, Fulham-rd, Linen Draper. March 6. Conv. Reg April 1.
Isle, John Collinson, Scarborough, Upholsterer. March 6. Conv. Reg April 3.
Jefferson, Joseph Hardey, Bristol, Carver. March 18. Conv. Reg April 3.
Jewell, Wm Hy, Walbrook, Life Insurance Agent. March 17. Inspectorship. Reg April 4.
Lamb, Wm, High-st, Southwark, Hosier. March 2. Comp. Reg March 30.
McGibbon, Edward, and Christopher Thomas Robson, Carlisle, Manufacturers. March 9. Comp. Reg March 31.
Marson, Jas Garbutt, Beverley, York, Tinner. March 4. Asst. Reg April 1.
Merry, Wm Pickering, Coventry, Hotel Keeper. March 6. Asst. Reg April 1.
Mouncey, Joseph, Salford, Lancaster, Timber Merchant. March 14. Conv. Reg April 3.
Murley, Frank, Walworth New Town, Soap Maker. March 16. Comp. Reg April 3.
Newbery, Alfred, Carey-st, Chancery-lane, Map Seller. March 13. Comp. Reg April 4.
Newby, Richd Norman, & Benj Dorrington, Gresham-st, Merchants. March 29. Comp. Reg April 4.
Nicholson, Matthew Hy, Sheffield, Table Knife Manufacturer. March 7. Comp. Reg April 3.
Nicholson, Wm Atwill, Portsea, Hants, Baker. March 15. Conv. Reg April 3.
Ord, Ralph, jun, Middlesbrough, York, Draper. March 14. Conv. Reg April 1.
Paterson, Wm, Child's-hill, Hampstead, Gent. March 24. Arr. Reg April 3.
Penton, Geo, Streatley, Berks, Draper. March 11. Conv. Reg March 31.
Pickard, Simeon, Wakefield, York, Linen Draper. March 7. Conv. Reg March 31.
Reynolds, Arthur Jas, Maidstone, Kent, Grocer. March 14. Conv. Reg April 3.
Ripley, Joseph, Wakefield, York, Provision Dealer. March 14. Comp. Reg April 3.
Robberds, Chas Augustus, & Wm Money, Norwich, Corn Millers. March 6. Conv. Reg April 3.
Robins, Edwd Thos, Rotherhithe, Surrey, Comm Agent. April 1. Asst. Reg April 4.
Smithard, Hy, & Oswald Brooke, Bacup, Lancaster, Cotton Spinners. March 8. Conv. Reg April 4.
Sutcliffe, John, Bradford York, Grocer. March 22. Conv. Reg April 1.
Tattersall, Geo, Wm Tattersall, & Young Tattersall, Sourhall, nr Todmorden, York, Manufacturers. April 3. Comp. Reg April 4.
Thomson, Wm Hutchison, Fenchurch-st, Ship Valuer. March 2. Inspectorship. Reg March 30.
Waite, Jonathan, Yeadon, Guiseley, York, Cloth Manufacturer. March 7. Comp. Reg April 3.
Wallis, Jas, Cheltenham, Gloucester, Grocer. March 15. Conv. Reg March 31.
Waud, Fdwd, Manston, York, Colliery Proprietor. March 13. Inspectorship. Reg April 1.
Wickwar, Francis, Aminta-cottages, Walham-green. March 20. Comp. Reg April 1.
Willans, John, Heckmondwike, Birstal, York, Grocer. March 9. Conv. Reg April 4.

Bankrupts.

FRIDAY, March 31, 1865.

To Surrender in London.

Aldridge, Jas Chas, Prisoner for Debt, London. Pet March 25. April 22 at 11. Wood & Co, Basinghall-st.
Milburn, Geo Wm Alexander, Charter-house, Aldersgate-st, out of business. Pet March 29. April 19 at 1. Atkinson, High Holborn.
Ashwell, Edwd, Only-st, Walworth-rd, Waiter at a Music-hall. Pet March 27. April 26 at 2. Levy, Surrey-st, Strand.
Barker, Thos, Road, Northampton, Horse Dealer. Pet March 27. April 26 at 2. Lawrence & Co, Old Jewry-chambers.
Barber, Mark, Enfield, Dairyman. Pet March 28. April 19 at 12. Wood & Co, Basinghall-st.
Barnes, Hy, Wood-st, Cheapside, Assistant to a Laceman. Pet March 24. April 13 at 1. Terry, King-st, Cheapside.
Bentley, Wm, Wolverton, Berks, Chemist. Pet March 27. April 26 at 2. Harrison & Co, Old Jewry.
Bevan, Frederic, Prisoner for Debt, London. Pet March 25 (for pau). April 19 at 11. Bramwell, Basinghall-st.
Bruce, John, Bingfield-st, Caledonian-rd, Grocer. Pet March 29. April 22 at 12. Sydney & Sons, Finsbury-circus.
Clinton, Lord Thos Pelham, Les Vertus, Dieppe, France. Pet March 25. April 26 at 1. Bevan & Whiting, Old Jewry.
Chesterton, John, Prisoner for Debt, Northampton. Adj March 18. April 14 at 2.
Cuming, Alex Paul, Prisoner for Debt, London. Pet March 25 (for pau). April 20 at 12. Hope, Holborn.
Fish, Robt Ramsdale, Newport-ct, Newport-market, Pork Butcher. Pet March 27. April 26 at 2. Wood, Lincoln's-inn.
Fuller, Robt, St Stephen's-plain, Norwich, Licensed Victualler. Pet March 25. April 19 at 11. Atkinson, Norwich.
Gandy, Jas, Southampton, Dealer in Boots. Pet March 28. April 13 at 2. Mackay, Southampton.
Hargest, John, Stanley-st, Pimlico, Plumber. Pet March 28. April 13 at 2. Hill, Basinghall-st.
Ivey, Edmd, Warwick-st, Pimlico, Draper's Assistant. Pet March 29. April 13 at 2. Barrett, Bloomsbury.
Kincaid, Hy Ellis, Turnham-grn, Schoolmaster. Pet March 27. April 19 at 12. Wetherfield, Moorgate-st.
Knight, Hy, Plumstead Kent, out of business. Pet March 25. April 18 at 1. Marshall, Hatton-garden.
Lang, Francis Louis, Reigate, Surrey, no business. Pet March 24. April 13 at 1. Silvester, Gt Dover-st.
Lovelock, Geo, Prisoner for Debt, London. Pet March 28 (for pau). April 19 at 12. Hill, Basinghall-st.
Male, Peter Crusoe, High Wycomb, Buckingham, Grocer. Pet March 24. April 26 at 1. Cox, St Swithin's-lane.
Mead, Fredk Wm, Gt Waltham, Essex, Farm Bailiff. Pet March 29. April 19 at 1. Duffield & Bruty, Cornhill.
Morris, Thos Hy, Southampton, Tailor. Pet Feb 27. April 22 at 12. Sole & Co, Aldermanbury.
Parker, Thos, Union-st, Bishopsgate, Licensed Victualler. Pet March 27. April 19 at 11. Lewis & Lewis, Ely-pl, Holborn.
Pottage, Wm, Prisoner for Debt, London. Pet March 27 (for pau). April 19 at 12. Padmore, Westminster-bridge-rd.
Roberts, Jas, Norfolk-st, out of business. Pet March 28. April 13 at 12. Marshall, Hatton-garden.
Tillam, Thos, Deptford, Kent, Gas Apparatus Manufacturer. Pet March 15. April 22 at 12. Harrison & Co, Old Jewry.
Varney, John, Portsea, Hants, Licensed Victualler. Pet March 29. April 22 at 11. Cousins, Portsea.
Williams, Thos, Lambeth-walk, out of business. Pet March 28. April 13 at 2. Wells, Moorgate-st.

To Surrender in the Country.

Alcock, John, Prisoner for Debt, Chester. Adj March 15. Manch, April 13 at 12.
Arnott, Joseph, Sheffield, York, Brass Caster. Pet March 28. Sheffield, April 19 at 1. Binney & Son, Sheffield.
Barr, Wm, Coundon, Warwick, Wheelwright. Pet March 27. Coventry, April 17 at 3. Smallbone, Coventry.
Baxter, John, Burnley, Lancaster, Dealer in German Yeast. Pet March 27. Burnley, April 10 at 3. Hartley, Burnley.
Baynton, Edwd Saml, St Margaret-at-Cliffe, nr Dover, Kent, Baker. Pet March 25. Dover, April 11 at 12. Minter, Dover.
Billingham, Wm Amos, Witton Park, Durham, Plate Shearer. Pet March 27. Bishop Auckland, April 13 at 10. Brignal, Durham.
Blackwall, Daniel, Llangynwyd, Glamorgan, Beer Retailer. Pet March 23. Neath, April 10 at 11. Cuthbertson, Neath.
Bowness, Thos, Bishop Auckland, Durham, Haberdasher. Adj July 20. Newcastle-upon-Tyne, April 11 at 12. Hoyle, Newcastle-upon-Tyne.
Bradshaw, Eleanor, Prisoner for Debt, Lancaster. Adj March 15. Manch, April 12 at 11.
Brenton, Jas, St Dennis, Cornwall, Cordwainer. Pet March 28. St Austell. April 15 at 12. Meredith, St Austell.
Bunney, Jas, Lpool, Baker. Pet March 29. Lpool, April 12 at 3. Anderson, Lpool.
Capney, David, Oswestry, Salop, Shoemaker. Pet March 23. Oswestry, April 15 at 10. Sabine.
Carlin, Ann, Newcastle-upon-Tyne, Dealer in Earthenware. Pet March 29. Newcastle, April 15 at 10. Stewart.
Chapman, Robt, Sadberge, Durham, Innkeeper. Pet March 28. Darlington, April 12 at 11. Steavenson, Darlington.
Clegg, Thos, Rochdale, Cotton Waste Dealer. Pet March 21. Manch, April 11 at 12. Standring, Rochdale.
Cove, John, Cheltenham, Wheelwright. Pet March 24. Cheltenham, April 11 at 11. Boodle, Cheltenham.
Crankshaw, Wm, Manch, Crinoline Manufacturer. Pet March 28. Manch, April 11 at 11. Marslands & Addleshaw, Manch.
Davenport, John Barber, Rochdale, Publisher. Pet March 26. Manch, April 11 at 11. Cobbett & Wheeler, Manch.
Dawson, Thos, Worsley, Lancaster, out of business. Pet March 28. Leigh, April 19 at 1. Gardner, Manch.
Delafield, John Hopper, Sunderland, Comedian. Adj March 15. Newcastle-upon-Tyne, April 10 at 12. Hoyle, Newcastle-upon-Tyne.
Dillon, Jas Mollachrea, Barnsley, York, Fishmonger. Pet March 25. Barnsley, April 13 at 2. Williamson, Barnsley.
Doughty, Wm, Lansdown-hill, Southampton, Journeyman Brushmaker. Pet March 28. Southampton, April 26 at 12. Mackey, Southampton.
Faulkner, Jane, Bristol, Lodging-house Keeper. Pet March 28. Bristol, April 11 at 12. Pigeon, Bristol.
Flecknoe, John Dunkley, Gt Horwood, Buckingham, out of business. Pet March 27. Buckingham, April 12 at 12. Simpson, St Alban's.
Forsyth, John Codrington, Lpool, Bookseller. Pet March 27. Lpool, April 13 at 11. Goldrick, Lpool.
Foster, Ebenezer, King's Walden, Hay Dealer. Pet March 28. Hitchin, April 15 at 12. Shepherd, Luton.
Hand, Samuel, Birm, Journeyman Clock Dial Writer. Pet March 24 (for pau). Birm, May 1 at 10.
Hawley, John, Walsall, Stafford, Twine Maker. Pet March 29. Birm, April 13 at 12. Wilkinson, Walsall.
Holland, Thos Piper, Kemsey, Worcester, Beerhouse Keeper. Pet March 28. Worcester, April 13 at 11. Tree, Worcester.
Holt, Daniel, Nottingham, Watchmaker. Pet March 20. Worksop, April 11 at 12. Marshall, East Retford.
Hughes, John, Llanuwchllyn, Merioneth, Grocer. Pet March 22. Bala, April 8 at 1. Pugh, Dolgelley.
Jenkins, Humphrey Woodcock, Abergele, Denbigh, Gent. Pet March 28. April 13 at 12. Sandys & Co, Lpool.
Kelham, John, Nottingham, Provision Dealer. Pet March 21. Nottingham, April 19 at 11.
Kendall, Jas Augustus, Ryde, Isle of Wight, Innkeeper. Pet March 23. Newport, April 12 at 11.30. Joyce, Newport.

Laws, Edwd John, Southsea, Labourer. Pet March 27. Portsmouth, April 18 at 11. Wallis, Portsmouth.
Lloyd, Thos, Hanley, Stafford, Draper. Pet March 14. Birm, April 12 at 12. Allen, Birm.
Marshall, Thos, Kirkheaton, York, Horse Dealer. Pet Feb 14. Huddersfield, April 24 at 10. Taylor, Hudersfield.
Mason, Mary, Brighton, Spinster. Pet March 29. Brighton, April 12 at 11. Lamb, Brighton.
Moon, Jas, Brighton, Grocer. Pet March 27. Brighton, April 5 at 11. Mills, Brighton.
Moore, Geo, Prisoner for Debt, Norfolk. Adj March 16. Norwich, April 10 at 10.
Morton, Jonathan, & John Trotter Morton, Hunslet, Leeds, Engineers' Tool Makers. Pet March 27. Leeds, April 10 at 11. Middleton & Son, Leeds.
Owen, Ellen, Lpool, Stationer. Pet March 25. Lpool, April 11 at 3. Goldrick, Lpool.
Parton, Wm, Much Wenlock, Salop, Boot Maker. Pet March 27. Madeley, April 22 at 12. Walker, Wellington.
Plimmer, Hy, Lpool, Boot Maker. Pet March 29. Lpool, April 13 at 11. Martin, Lpool,
Plumbly, Geo, Isle of Wight, Hants, Plumber. Pet March 25. Newport, April 12 at 11. Joyce, Newport.
Richardson, Peter, Prisoner for Debt, Lancaster. Adj March 15. April 11 at 11.
Rogers, Wm Albert, Erdington, Warwick, Comm Agent. Pet March 24. Birm, April 10 at 10. East, Birm.
Rowland, Wm, Manch. Pet March 27. Manch, April 11 at 11. Storer, Manch.
Simpson, John Benj, Longdon, Stafford, Farmer. Pet March 27. Rugeley, April 15 at 10. Wilson, Lichfield.
Smith, John, Mill Pond-hill, Worcester, out of business. Pet March 28. Birm, April 12 at 12. Parry, Birm.
Stephens, Wm, Freemantle, Southampton, Coach Proprietor. Pet March 28. Southampton, April 26 at 12. Mackey, Southampton.
Stephenson, Lockwood, Bradford, York, Wool Dealer. Pet March 27. Leeds, April 10 at 11. Simpson, Leeds.
Stone, Thos Howard Elphinstone, Exeter, Quartermaster of Militia. Pet March 29. Exeter, April 12 at 11. Flond, Exeter.
Stubbs, Francis, Bradford, York, Clothes Dealer. Pet March 25. Bradford, April 13 at 9.45. Terry & Watson, Bradford.
Summers, Robt, Prisoner for Debt, Gloucester. Adj March 17. Cheltenham, April 11 at 11.
Thorpe, Thos, Hanley, Shopkeeper. Pet March 28. Hanley, April 22 at 11. Sutton, Burslem.
Tuer, Lucey, Madeley, Salop, Widow. Pet March 25. Birm, April 19 at 12. Hodgson and Son, Birm.
Tyas, Francis Worrill, Hooton Pagnall, York, Implement Dealer. Pet March 23. Sheffield, April 21 at 12. Smith & Burdekin, Sheffield.
Williamson, Geo, Preston, Lancaster, no business. Pet March 28. Preston, April 11 at 9. Edelston, Preston.

TUESDAY, April 4, 1865.

To Surrender in London.

Ablewhite, Edward, Mount-st, Grosvenor-sq, Coach Maker. Pet March 31. April 19 at 2. Foster & Anderson, Gray's-inn-sq.
Albert, Geo Pascal, Ebenezer-ter, Croydon, Surgeon. Pet March 28. April 22 at 11. Peverley, Coleman-st.
Bartlett, Joseph, Prisoner for Debt, London. Pet March 29. April 19 at 3. Chalk, Coleman-st.
Bliss, Jas, Brackley, Northampton, Shoemaker. Pet April 1. May 3 at 11. Buchanan, Basinghall-st.
Buist, Robert Walter, Bessborough-gardens, Pimlico, Dentist. Pet March 30. April 22 at 1. Torr, New Bridge-st, Blackfriars.
Coppard, Thos, & Jas Newman, Meads, Eastbourne, Sussex, Grocers. Pet March 21. April 20 at 2. Lawrance & Co, Old Jewry-chambers.
Downing, Edward Matthew, & Chas John Downing, Camberwell-rd, Furniture Dealers. Pet March 29. April 20 at 12. Marshall, Hatton-garden.
English, Thos, Thurlow-place, Globe-st, Bethnal-green, out of business. Pet March 30. April 19 at 1. Edwards, Bush-lane, Cannon-st.
Fenwick, Joseph, Burlington-mews, Bayswater, Servant. Pet March 30. April 20 at 1. Chidley, Old Jewry.
Gardner, Townley, Storey-st, Islington, Curate. Pet April 1. April 20 at 1. Barker, Furnival's-inn.
Head, Joseph, Alwalton, Huntingdon, Cattle Dealer. Pet March 29. April 19 at 1. Bell, Gt James-st.
Howes, Joseph, Northampton, Shoe Manufacturer. Pet March 27. April 20 at 2. Kilby, Fenchurch-st.
Ivison, Jas, Well-st, Cripplegate, Printer. Pet March 31. April 19 at 2. Frost, Leadenhall-st.
Marquardt, Cæsar Ferdinand, Warwick-st, Pimlico, out of business. Pet March 31. April 20 at 1. Fry, Mark-lane.
Newby, Thos Gilbert, Belmont-ter, Wandsworth-rd, Baker. Pet March 29. April 20 at 12. Haynes, Southampton-bldgs, Chancery-lane.
Plimsoll, Sarah, Ely-pl, Holborn, Lodging-house Keeper. Pet March 29. April 22 at 12. Hembery, Staple-inn.
Richards, John Rees Rowland, Kelvedon, Essex, Tutor. Pet March 28. April 22 at 11. Lindus, Bedford-row.
Ringer, Walter Wm, Prisoner for Debt, London. Pet April 1. April 25 at 11. Bruton, Guildhall-chambers.
Rogers, Herbert, Southampton, out of employment. Pet March 30. April 19 at 1. Paterson & Son, Bouverie-st, for Mackey, Southampton.
Schoeller, Edwd, Water-lane, Tower-st, Merchant. Pet March 18. April 20 at 2. Abrahams, Gresham-st.
Strange, Chas Mathew, Tunbridge Wells, Builder's Clerk. Pet April 1. April 24 at 11. Sole & Co, Aldermanbury.
Swaine, Geo, Redman's-row, Mile End-rd, Warehouseman's Clerk. Pet March 31. April 19 at 2. Bramwell, Basinghall-st.
Telling, Eber, Prisoner for Debt, London. Pet March 29 (for pau). April 22 at 1. Hill, Basinghall-st.
Tiddy, Edwd, Prisoner for Debt, London. Pet March 29. April 19 at 1. Blake & Snow, College-hill.
Toplis, Mahala, Clarendon-rd, Notting-hill, Milliner. Pet April 3. April 20 at 2. Cole, Chelsea.
Tucker, John Oldham, St George's-ter, Kilburn, Watchmaker. Pet March 30. April 19 at 2. Treherne & Wolferstan, Aldermanbury.
Whisler, John, Mortimer-st, Cavendish-sq, Trimming Seller. Pet March 29. April 20 at 2. Jarman, Basinghall-st.
White, Jacob, Gt Suffolk-st, Southwark, Butcher. Pet March 31. April 20 at 1. Silvester, Gt Dover-st.

To Surrender in the Country.

Baldwin, Hy, Claines, Worcester, Market Gardener. Pet April 1. Worcester, April 19 at 11. Wilson, Worcester.
Barker, Josiah, Stebbing, Essex, Blacksmith. Pet March 28. Dunmow, April 18 at 2. Baker, Dunmow.
Bickerton, John Hugo, Winsford, Chester, Grocer. Pet March 14. Northwich, April 17 at 10. Bent, Castle Northwich.
Blakeway, Hy, Castle Town, Castle Church, Stafford, Wheelwright Pet April 1. Stafford, April 24 at 11. Brough, Stafford.
Blunt, Geo, Stantonbury, Wolverton, Buckingham, Baker. Pet March 31. Newport Pagnell, April 17 at 3. Jones, Aylesbury.
Bradley, Chas, Leeds, out of business. Pet March 29. Leeds, April 18 at 12. Harle, Leeds.
Carr, Jas, Leeds, Comm Agent. Pet March 30. Leeds, April 24 at 11. Simpson, Leeds.
Craven, Wm, Landport, Hants, Paper Hanger. Pet March 29. Portsmouth, April 18 at 11. White, Portsea.
Davies, John, Llanfyllin, Montgomery, Innkeeper. Pet March 30. Llanfyllin, April 19 at 12. Pughe, Llanfyllin.
Dickinson, Moses, Little Bolton, Lancaster, Joiner. Pet April 1. Bolton, April 19 at 10. Richardson & Co, Bolton.
Doyle, John Edwd, Birm, Fish Salesman. Pet March 30. Birm, May 1 at 10. East, Birm.
Elliott, Thos, Lpool, Comm Agent. Pet March 31. Lpool, April 20 at 11. Goldrick, Lpool.
Fletcher, Wm, Stetchworth, Cambridge, Barman. Pet March 25. Newmarket, April 11 at 11. Bye, Soham.
Frost, Thos, Darfield, York, Mason. Pet April 1. Leeds, April 24 at 11. Clarke, Leeds.
Gee, Walter, Burton, Westmoreland, Tailor. Pet March 28. Kirkby Lonsdale, April 13 at 11. Fearenside.
Hartshorne, Benj, Broseley, Salop, Tile Maker. Pet March 31. Madeley, April 22 at 12. Walker, Wellington.
Hayward, Saml Hy, Gloucester, Chemist. Pet March 31. Bristol, April 19 at 11. Taynton, Gloucester, and Press & Inskip, Bristol.
Herrin, Wm Francis, Penryn, Cornwall, Grocer. Pet March 29. Falmouth, April 12 at 11. Stephenson, Redruth.
Holroyd, Tom, Wakefield, York, Boot and Shoe Maker. Pet March 31. Wakefield, April 20 at 10. Wainwright, and Mander, Wakefield.
Horswill, Thos, Diptford, Devon, Farmer. Pet April 1. Totnes, April 15 at 12. Michelmore, Totnes.
Inward, Joseph, Luton, Bedford, Clerk to Straw Hat Manufacturer. Pet March 30. Luton, April 18 at 10. Bailey, Luton.
Jennings, Benjamin, Kenwyn, Cornwall, Wheelwright. Pet March 30. Truro, April 19 at 3. Marshall, Truro.
Jones, John, Merthyr Tydfil, Glamorgan, Draper. Pet March 25. Bristol, April 19 at 11. Davidson & Co, Basinghall-st, and Henderson, Bristol.
Kelly, Joseph, Lpool, Engineer. Pet March 24. Lpool, April 25 at 11. Etty, Lpool.
Laybourne, Wm Hy, Fleetwood, Lancaster, Hair Dresser. Pet March 30. Poulton-le-Fylde, April 20 at 10. Edelston, Preston.
Mills, Caleb, Dursley, Gloucester, Baker. Pet March 31. Dursley, April 20 at 10. Hemming, Stroud.
Mullett, Edmund, Ipswich, Fishmonger. Pet March 30. Ipswich, April 18 at 11. Pollard, Ipswich.
Poole, John Hy, Lpool, Journeyman Joiner. Pet March 30. Lpool, April 17 at 3. Goldrick, Lpool.
Roberts, Thos, Guilsfield, Montgomery, Druggist. Pet March 31. Welshpool, April 20 at 11. Jones, Welshpool.
Rose, Samuel, Abinger Hammer, Dorking, Surrey. Pet March 28. Dorking, April 13 at 2. White, Dane's-inn.
Sayers, Chas, Trottersclife, Kent, Horse Dealer. Adj March 20. Maidstone, April 12 at 11.
Smethurst, John, Manch, Worsted Dyer. Pet March 30. Manch, April 24 at 9.30. Smith & Boyer, Manch.
Stevenson, Hy, Ipswich, Cattle Dealer. Pet March 30. Ipswich, April 18 at 11. Moore, Ipswich.
Tolan, Wm, Shanklin, Isle of Wight, Jeweller. Adj Nov 9. Winchester, April 19 at 1. Joyce, Newport.
Walker, Hy, York, Provision Dealer. Pet March 31. Leeds, April 24 at 11. Gell, York, and Simpson, Leeds.
Webb, Wm, Arley, Warwick, Labourer. Pet March 24. Nuneaton, April 22 at 11. Smallbone, Coventry.
Williamson, Edwd Hy, Stafford, Grocer. Pet March 15. Birm, April 20 at 12. James & Griffin, Birm.

BANKRUPTCIES ANNULLED.

FRIDAY, March 31, 1865.

Attwood, Wm Hy, Luton, Bedford, Builder. March 29,
Wickwar, Fras, Walham-green, Stationer. March 29.

TUESDAY, April 4, 1865.

Nyberg, Edwd, Bucklersbury, Merchant. April 4.